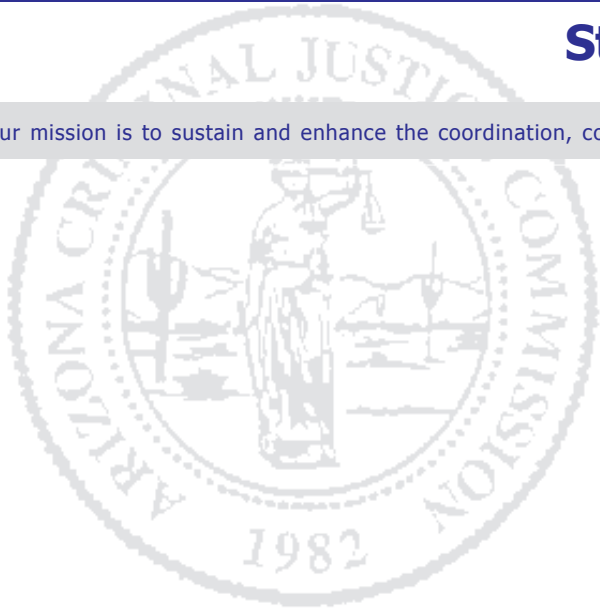


Arizona Criminal Justice Commission

Statistical Analysis Center Publication

Our mission is to sustain and enhance the coordination, cohesiveness, productivity and effectiveness of the Criminal Justice System in Arizona



Fill the Gap FY2008 Report

2009

January

ARIZONA CRIMINAL JUSTICE COMMISSION



Chairperson
RALPH OGDEN
Yuma County Sheriff

Vice-Chairperson
DANIEL HUGHES, Chief
Surprise Police Department

JOHN R. ARMER
Gila County Sheriff

JOSEPH ARPAIO
Maricopa County Sheriff

DUANE BELCHER, Chairperson
Board of Executive Clemency

DAVID K. BYERS, Director
Administrative Office of the Courts

CLARENCE DUPNIK
Pima County Sheriff

TERRY GODDARD
Attorney General

ROBERT HUDDLESTON, Chief
Casa Grande Police Department

BARBARA LAWALL
Pima County Attorney

DAVID SANDERS
Pima County Chief Probation
Officer

DORA SCHRIRO, Director
Department of Corrections

LINDA SCOTT
Former Judge

DANIEL G. SHARP, Chief
Oro Valley Police Department

GEORGE E. SILVA
Santa Cruz County Attorney

CARL TAYLOR
Coconino County Supervisor

ANDREW P. THOMAS
Maricopa County Attorney

ROGER VANDERPOOL, Director
Department of Public Safety

Mayor
VACANT

JOHN A. BLACKBURN, JR.
Executive Director

PHILLIP STEVENSON, Director
Statistical Analysis Center

JOY LITZENBERGER
Research Analyst

Table of Contents

Introduction.....	1
Research Methods.....	1
Arizona Legislation.....	4
Arizona Case Timelines.....	6
Report Layout.....	6
Apache County.....	8
Cochise County.....	12
Coconino County.....	16
Gila County.....	20
Graham County.....	24
Greenlee County.....	28
La Paz County.....	31
Maricopa County.....	35
Mohave County.....	39
Navajo County.....	43
Pima County.....	47
Pinal County.....	51
Santa Cruz County.....	55
Yavapai County.....	59
Yuma County.....	63
Conclusions and Recommendations.....	67
Appendix A: Arizona Fill the Gap Funding.....	68
Appendix B: Summary of the Use of Fill the Gap Funds in FY2008.....	69
Appendix C: Arizona Revised Statutes Authorizing Fill the Gap Funding.....	71
Appendix D: State Aid to County Attorney Expenditures by County.....	77
Appendix E: State Aid to Indigent Defense Expenditures by County.....	78

INTRODUCTION

In 1999, Arizona Senate Bill 1013 was passed into law, which came to be known as Fill the Gap (FTG) legislation. SB1013 created three funds to be used by three separate stakeholders in the court process to improve criminal case processing: county attorneys, public or indigent defenders, and the courts. The three funds receive monies from legislative appropriations and from fees collected by the Supreme Court and the Court of Appeals. The monies are dispersed to the funds according to a formula based on county population and a three-year average of criminal case filings. The Arizona Criminal Justice Commission (ACJC) is responsible for administering the funds for the county attorneys and indigent defense and annually reporting on how those funds are used and “the progress made in achieving the goal of improved criminal processing” (A.R.S. §41-2409). The Administrative Office of the Courts is similarly required to administer and report on the funds distributed to the courts (A.R.S. §12-102.02).

Fill the Gap was created in order to address the increasing number of cases processed in the court system caused by an increase in the population of Arizona and an increase in law enforcement resources at the federal and local level in the 1990s. For example, from 2000 to 2007 Arizona’s population increased 23.5 percent and, at the same time, the number of felony case filings increased by 43.1 percent. Increasing caseloads resulted in increasing case processing times, creating a significant gap between arrest and disposition (Arizona Office of the Court’s *Fill the Gap Annual Report*, 2007, pg. 2). It was believed that with additional funding, criminal courts in each county could meet the time processing mandates that the Arizona Supreme Court established in the Rules of Criminal Procedure and reduce the “gap” created by population growth and increased funding to other components of the criminal justice system.

This report fulfills the statutory requirement for ACJC to report on the Fill the Gap funds as required by A.R.S. §41-2409. This report will provide an explanation of the Fill the Gap program including state statutory authority, the appropriation formulas, and designated responsible parties. The report will present expenditures by organization, plans for future expenditures of the Fill the Gap funds, and suggestions on how to improve the Fill the Gap program.

RESEARCH METHODS

The Arizona Criminal Justice Commission’s Statistical Analysis Center (SAC) developed an annual reporting form that was distributed to funded entities. Agencies completed the form and returned them to ACJC. The reporting form captured how Fill the Gap funds were spent in FY2008 and how they improved criminal case processing, case processing statistics, and comments on related issues that were encountered during the year. Entities also were asked to complete and return a plan for FY2009 expenditures. Data from the annual reporting forms and future funding plans were then compiled by

county and analyzed to identify common spending priorities, improvements in data gathering and reporting practices, and remaining challenges that still face agencies.

In order to provide uniform case processing statistics in this report, agencies were asked to report case processing statistics for felony cases using the date of arraignment on charges as the date of filing and the date of sentencing as the date of adjudication. For diversion cases, the date of diversion is the date of adjudication. Days when a case is on warrant status were to be excluded from total case processing days. Appeals were not to be included. For these reasons, case processing statistics in this report may not match statistics published elsewhere. As case management system capabilities vary widely by agency, some agencies were not able to follow these guidelines for reporting. While agencies continually improve their reporting capabilities, even with set criteria for determining case processing times data in this report is not yet comparable between agencies.

Arizona Computerized Criminal History (ACCH)

Each agency funded by Fill the Gap was asked to provide case processing data in their annual reporting form. Information provided by these agencies allows case processing to be evaluated at the agency level. However, data provided by each agency is not comparable with each other, even within the same county because of differences in collection and reporting methods, as well as case management system capabilities. For this reason, SAC staff also analyzed county case processing times according to information in the Arizona Computerized Criminal History (ACCH) record system.

Because the date that a felony case is filed in court by the county attorney is not included in the ACCH database, the date of arrest was used as the start of a case. While this will result in a lower percentage of cases completed within the 180-day window, it does provide the ability to report case processing across counties using a uniform data source and method for calculating case processing times.

Only cases where both arrest and adjudication information was entered into ACCH were included in this analysis. All felony arrest counts (except for first-degree homicides) resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other charges were included. To prevent having a small number of cases skew case data, a standard process was used for each year and county to select cases. All cases included in the FY2006 analysis included arrests from calendar years 1995 to 2005 that were resolved in FY2006. All cases included in the FY2007 analysis included arrests from calendar years 1996 to 2006 that were resolved in FY2007. All cases included in the FY2008 analysis included arrests from January 1, 1997 to October 31, 2007¹ that were resolved in FY2008. Every case included in the analysis included disposition data in ACCH.

¹ October 1, 2007 was the latest date for which case information was available at the time of analysis.

Also, cases that resulted in diversion were included from the analysis. Increasing diversion cases is considered a valid use of Fill the Gap funds. However, including these cases skew the data for counties that divert a large percentage of felony cases. This is because the date of dismissal from a diversion court for many jurisdictions is the date included in this system as the adjudication date rather than the date that a defendant enters the diversion court process. Many diversion courts are specifically set up to take a longer period of time than the 180-day period in order to monitor compliance.

While there are significant limitations to the data analysis, this process does provide a uniform measure for each county. Limitations to the data include the inability to filter out time that cases were on warrant status, the inability to include cases with data entry errors, and the lack of agency level data. It is advised that the ACCH tables be used to view improvement in case processing at the county level. Importantly, this information is not a valid presentation of how many cases are completed within case processing requirements at the court level because of the data limitations mentioned above.

ARIZONA LEGISLATION

The Arizona Legislature created the State Aid Fund in 1999 to provide funding for prosecutors, indigent defense, and courts to bring case processing times in line with standards set by the Arizona Supreme Court. These funds were designed to supplement, rather than supplant, spending by funded agencies. ACJC and the Arizona Supreme Court were charged with administering the funds and reporting on the progress of case processing to the legislature each year. Six statutes govern the collection, administration, and reporting of Fill the Gap funds (formally named the State Aid to County Attorneys Fund, State Aid to Indigent Defense Fund, and State Aid to the Courts Fund). These statutes are shown in their entirety in Appendix A.

Arizona Revised Statutes §11-539, §11-588 and §12-102.02 each establish Fill the Gap funds and provide instructions regarding the administration and expenditure of the funds. The State Aid to County Attorneys Fund was established by A.R.S. §11-539, the State Aid to Indigent Defense Fund was established by A.R.S. §11-588, and the State Aid to the Courts Fund was established by A.R.S. §12-102.02. These three statutes are similar in that they mandate that the funds be used for improving the processing of criminal cases and that they are to be used to supplement, rather than supplant, county funds. These statutes mandate that ACJC administer the county attorneys and indigent defense funds and that the Arizona Supreme Court administer the courts fund. Arizona Revised Statute §12-102.02 also details how the courts are to allocate funds.

Funding for the Fill the Gap funds is mandated by A.R.S. §12-116.01. This statute mandates that a penalty assessment of 47 percent be levied on all fines, penalties, and forfeitures imposed by the courts for both criminal and civil cases, including traffic violations, as well as an additional seven percent fine on specified cases. An additional surcharge of five percent on filing fees is also mandated by this law. Five percent of the 47 percent surcharge is allocated by A.R.S. §41-2421 to the Fill the Gap funds with distribution according to the following formula:

- 21.61 percent to the State Aid to County Attorneys Fund;
- 20.53 percent to the State Aid to Indigent Defense Fund;
- 57.37 percent to the State Aid to the Courts Fund; and
- 0.49 percent to the Department of Law for the processing of criminal cases.

ACJC administers the portion allocated to the State Aid to the County Attorneys Fund and the State Aid to the Indigent Defense Fund and the Arizona Supreme Court administers the portion of the fund allocated to the courts. Of those funds that ACJC administers, 51 percent (\$1,210,200 in FY2008) was allocated to the State Aid to County Attorneys Fund and 49 percent (\$1,149,300 in FY2008) was allocated to the State Aid to Indigent Defense Fund. Funds from the seven percent additional assessment to fines and other court fees that are allocated to improving criminal case processing are distributed as follows:

- 15.44 percent to the State Aid to County Attorneys Fund;
- 14.66 percent to the State Aid to Indigent Defense Fund;

- 40.97 percent to the State Aid to the Courts Fund;
- 0.35 percent to the Department of Law for the processing of criminal cases; and
- 14.29 percent to the Arizona Supreme Court for allocation to the municipal courts.

These funds are distributed according to formulas set out in the A.R.S. §12-102.02 and §41-2409. Earned interest is deposited into the accounts and is utilized to support projects funded by Fill the Gap funds. The Arizona Supreme Court must distribute the funds to Superior Courts after receiving and approving the plan. ACJC must distribute the fund to county attorneys and indigent defense by September 1 of each year. Funds are distributed according to the following formula as directed in A.R.S. §12-102.02 and A.R.S. §41-2409:

1. Obtain the three-year average of the total felony filings in the county Superior Court Divisions divided by the statewide three-year average of the total felony filings in the Superior Court.
2. Divide the county population as adopted by the Arizona Department of Economic Security by the statewide population adopted by the Arizona Department of Economic Security.
3. The sum of the two figures computed above will equal the composite index and is used as the multiplier against the total funds appropriated from the State General Fund and other monies distributed to the fund.

Fill the Gap Fund Formula	
Step 1:	
County Felony Filings:	
Total Year 1 + Total Year 2 + Total Year 3 = 3 Year County Total	
3 Year County Total ÷ 3 = 3 Year Average Total County Felony Filings	
State Felony Filings:	
Total Year 1 + Total Year 2 + Total Year 3 = 3 Year State Total	
3 Year State Total ÷ 3 = 3 Year Average Total State Felony Filings	
3 Year Average Total County Felony Filings ÷ 3 Year Average Total State Felony Filings =	
Step 1 Result	
Step 2:	
County Population ÷ Statewide Population = Step 2 Result	
Step 3:	
Step 1 Result + Step 2 Result = Composite Index	
Composite Index used as a multiplier against Fill the Gap funds to determine fund distribution.	

The general fund appropriation and the surcharge earmarked for the courts are deposited in the State Aid to the Courts Fund pursuant to A.R.S. §12-102.02 and are administered by the Administrative Office of the Courts (AOC). The five percent set-aside of funds collected by the courts is kept and administered locally for county court use. Funds earmarked for the public defender/indigent defense counsel and county attorney are distributed through ACJC. It should be noted that counties with

populations exceeding 500,000 (i.e., Maricopa and Pima) were not eligible for general fund Fill the Gap appropriations in FY2007. These counties still received fine revenue.

Arizona Revised Statutes §12-102.02 and §41-2409 require that ACJC and the AOC report on the Fill the Gap funds they administer by January 8 of each year. This report serves as the report that the ACJC is required to produce.

ARIZONA CASE TIMELINES

Case processing standards are set by the Arizona Supreme Court. Generally, 90 percent of criminal cases should be completed within 100 days, and 99 percent of criminal cases should be completed within 180 days. These rules have been modified to more accurately reflect the amount of time it takes to complete complex cases. Effective December 1, 2002, the following changes to existing timelines were made:

"1) For in-custody defendants, the time to disposition was extended from 120 days of initial appearance to 150 days from the date of arraignment; 2) For out-of-custody defendants, the time to disposition was extended from 120 days of initial appearance to 180 days from the date of arraignment; and 3) A new category (complex cases), provides for disposition within 270 days from arraignment for those defendants charged with first degree murder in other than capital cases, offenses requiring consideration of evidence gained from wiretaps, electronic or oral communication, or complex cases determined by written factual finding by the court." (AOC Fill the Gap report, FY2005)

During that same year, a U.S. Supreme Court ruling, *Ring v. Arizona*, made a change to the processing of death penalty cases, by requiring that a jury, rather than a judge, determine the sentence. "Subsequently, the Arizona Supreme Court again modified Rule 8.2 to allow courts eighteen (18) months to dispose of cases where the state is seeking the death penalty" (AOC Fill the Gap report, FY2007). Many agencies exclude cases affected by these rule changes from their case processing statistics.

REPORT LAYOUT

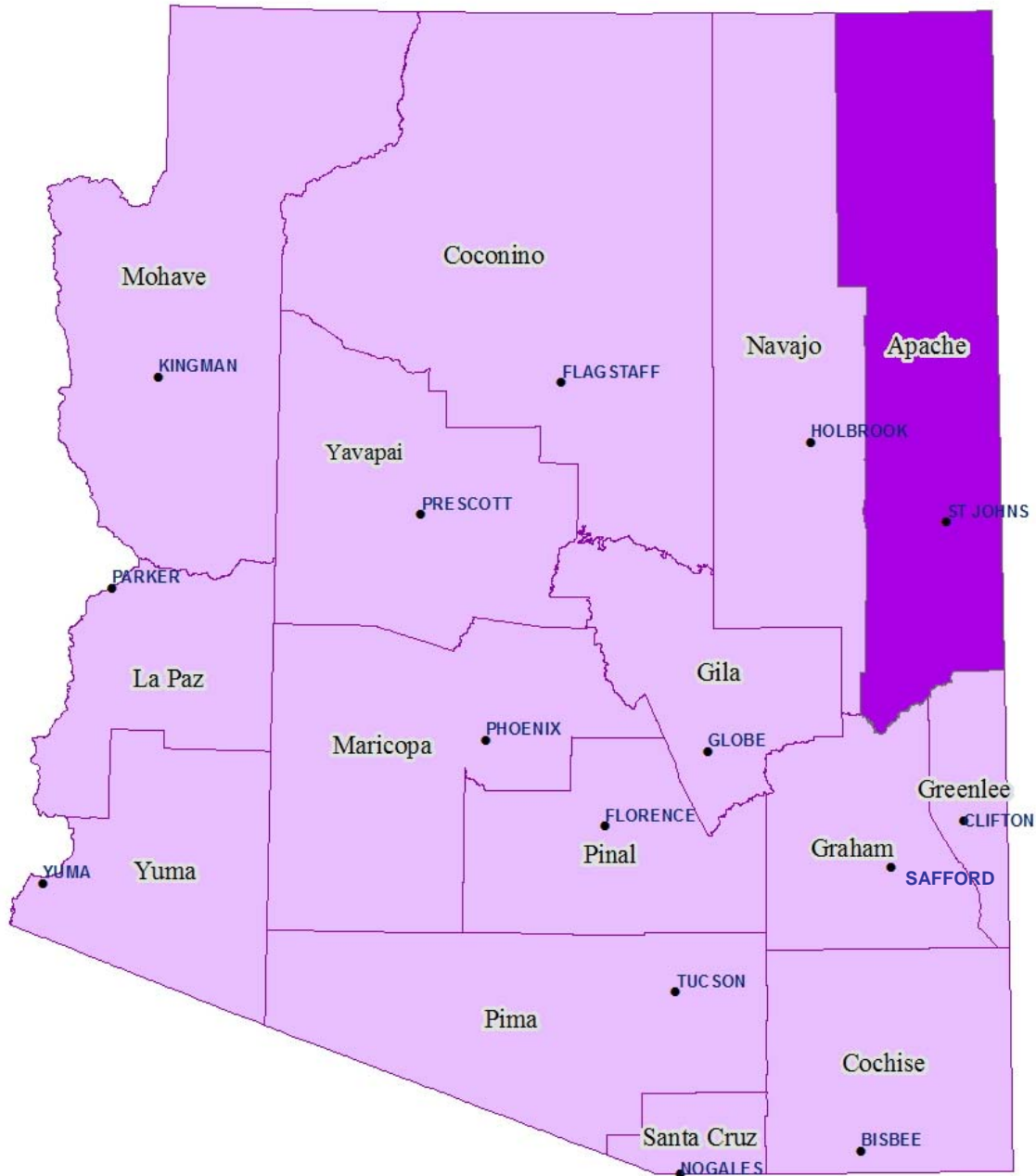
This report has been organized by funded counties and agencies. In each county, the county attorney's office and the public defender's office receive funding to work toward the common goal of improving case processing. The courts in each county also receive funding toward this goal. In counties that do not have a public defender's office, the Superior Court in those counties administer the indigent defense portion of Fill the Gap funds. Each county section of this report will begin with a brief summary of that county, followed by a financial breakdown of Fill the Gap allotments, a section for the county attorney, a section for indigent defense, and then the case processing statistics.

At the end of FY2007, funded agencies were asked for the first time to present plans for how Fill the Gap funds would be spent in FY2008. Those plans were reported in the FY2007 report. Not all agencies were able to comply with this new requirement at that

time. For those agencies that did return plans, their section of this report begins with the FY2008 plan summary, followed by a report on Fill the Gap activities and a summary of the FY2009 Fill the Gap plan.

Following the project summaries for each county is a table with case processing statistics reported by each grantee, along with statistics generated using data from the Arizona Computerized Criminal History (ACCH) System. Due to varying reporting methods and case tracking limitations, data reported by the county attorney and indigent defense offices are not comparable across jurisdictions. Because of the local variation in how case processing information is determined, the ACCH information is not directly comparable to the data submitted by agencies, however, it is a uniform measure across counties. It also must be noted that the date of arrest is used as the case start date in the ACCH information, while local agencies use date of case filing as the start date to calculate case processing information. Agencies also often exclude some cases that were included in the ACCH analysis. Further discussion of the limitations and strengths of the ACCH data can be found on pages 2 and 3 of this report.

Apache County



2007 U.S. Census Population Estimate:	69,980
Estimated Population Growth 2000-2007:	+0.8%
Percent of Arizona Population:	1.1%
County Seat:	St. Johns

Apache County Fill the Gap Funding FY2007 – FY2008			
	FY2007	FY2008	Difference
Apache County Attorney's Office	\$14,131	\$15,471	9.5%
Apache County Superior Court	\$13,432	\$14,703	9.5%

Apache County Funding Breakdown FY2008			
	FY2008 General Fund	FY2008 Fine Revenue	FY2008 Total Allocated
Apache County Attorney's Office	\$5,957	\$9,514	\$15,471
Apache County Superior Court	\$5,670	\$9,033	\$14,703

Apache County Fill the Gap Funding FY2000 – FY2008									
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008
Apache County Attorney's Office	\$6,622	\$11,900	\$12,554	\$13,115	\$12,930	\$12,237	\$13,786	\$14,131	\$15,471
Apache County Superior Court	\$6,290	\$11,304	\$11,923	\$12,455	\$12,292	\$11,634	\$13,104	\$13,432	\$14,703

Apache County Attorney's Office

Apache County Attorney's Office – FY2008 Fill the Gap Plan

The County Attorney's Office planned to use Fill the Gap funds to hire an administrative planner. This position was to be responsible for communicating with the court and defense counsel regarding scheduling and tracking cases. The anticipated benefit from this position was improved communication and coordination between agencies.

Apache County Attorney's Office – FY2008 Fill the Gap Activity

Fill the Gap funds were used by the Apache County Attorney's Office to hire an administrative planner in FY2008. This staff member was responsible for facilitating trial preparation and discovery. The administrative planner also was responsible for preparing statistical reports. This position also helped increase victim notification by 57 percent in FY2008.

Apache County Attorney's Office – FY2009 Fill the Gap Plan

The Apache County Attorney's Office did not submit a plan for FY2009.

Apache County Indigent Defense

Apache County Indigent Defense – FY2008 Fill the Gap Plan

The Apache County Superior Court planned to use Fill the Gap funds to hire non-contract attorneys in order to reduce indigent defense caseloads. The additional attorneys would supplement the four contract attorneys providing indigent defense representation. As there were not sufficient funds to contract with another attorney, the

non-contract attorneys would handle cases with conflicts caused by multiple defendants, as well as cases affected by high caseloads. A rise in complex cases, combined with a capital case, caused indigent defense costs to consume more than 50 percent of the court's annual budget.

Apache Indigent Defense Office – FY2008 Fill the Gap Activity

The Apache County Superior Court used Fill the Gap funds to supplement county funds to hire contract attorneys to provide indigent defense in FY2008.

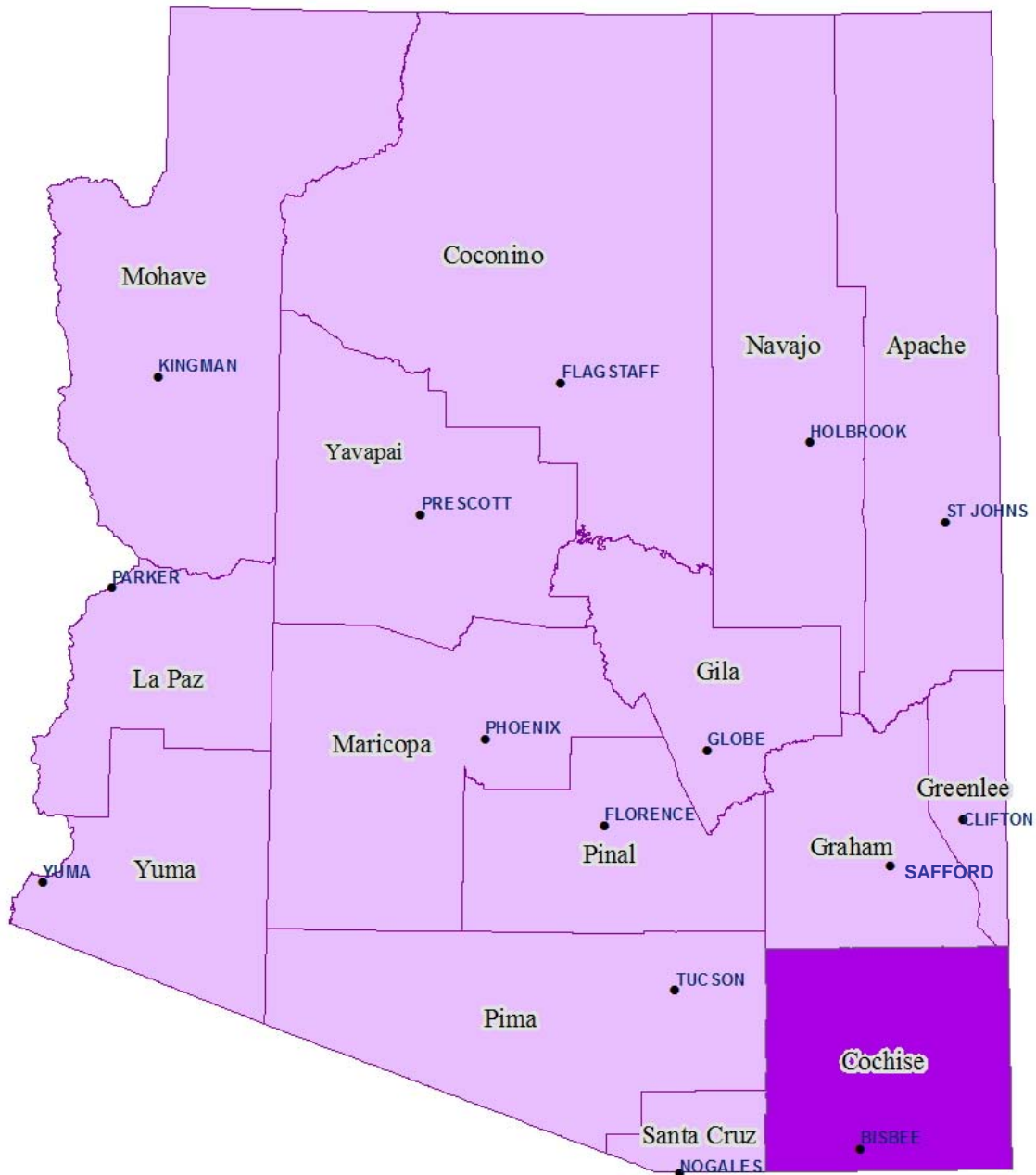
Apache County Indigent Defense – FY2009 Fill the Gap Plan

The Apache County Superior Court plans to use Fill the Gap funds to hire non-contract attorneys to decrease caseload of contract attorneys and handle cases involving conflicts.

Felony Case Processing Statistics Apache County FY2006-FY2008			
Apache County Attorney's Office			
Types of cases excluded from statistics: Appeals, Warrants and Probation Revocations			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	51.7%	40%	30%
Percent of Felony Cases Adjudicated within 180 Days of Filing	77.4%	65%	58%
Total Felony Cases Filed	549	614	614
Total Felony Cases Terminated	668	563	566
Apache County Superior Court			
Types of cases excluded from statistics: Warrants, Appeals, Diversion and Mental Competency Time			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	39.6%	32.2%	28.3%
Percent of Felony Cases Adjudicated within 180 Days of Filing	73.8%	66.3%	64.3%
Total Felony Cases Filed	390	363	357
Total Felony Cases Terminated	386	320	314
Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Apache County FY2006-2008			
Cases included in analysis: All felony arrests (except for first-degree homicides) resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges during the fiscal year.			
	FY2006	FY2007	FY2008*
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	304	254	295
Percent of Arrest Counts Resulting in Felony Case Adjudication within 180 Days	46%	47%	52%

* FY2008 data is for dispositions finalized between June 1, 2007 and April 30, 2008.

Cochise County



2007 U.S. Census Population Estimate:	127,866
Estimated Population Growth 2000-2007:	+8.6%
Percent of Arizona Population:	2.0%
County Seat:	Bisbee

Cochise County Fill the Gap Funding FY2007 – FY2008			
	FY2007	FY2008	Difference
Cochise County Attorney's Office	\$29,517	\$30,802	4.4%
Cochise County Public Defender's Office	\$28,056	\$29,270	4.3%

Cochise County Funding Breakdown FY2008			
	FY2008 General Fund	FY2008 Fine Revenue	FY2008 Total Allocated
Cochise County Attorney's Office	\$11,877	\$18,925	\$30,802
Cochise County Public Defender's Office	\$11,304	\$17,966	\$29,270

Cochise County Fill the Gap Funding FY2000 – FY2008									
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008
Cochise County Attorney's Office	\$14,459	\$25,120	\$25,455	\$26,436	\$27,148	\$28,380	\$30,431	\$29,517	\$30,802
Cochise County Public Defender's Office	\$13,734	\$23,860	\$24,177	\$25,106	\$25,807	\$26,978	\$28,927	\$28,056	\$29,270

Cochise County Attorney's Office

Cochise County Attorney's Office – FY2008 Fill the Gap Plan

The Cochise County Attorney's Office planned to use Fill the Gap funds to continue funding current positions. The office would hire additional staff if there was an assurance of continuity of the funds. Staff members were to begin using a new process for reviewing and filing felony complaints, which was implemented in 2007. The office anticipated that the new processes, working in conjunction with the Superior Court, would allow an early disposition court to reduce criminal case processing time. This process required the establishment of a new charging unit.

Cochise County Attorney's Office – FY2008 Fill the Gap Activity

The Cochise County Attorney's Office used Fill the Gap funds in conjunction with other funding sources to add two attorneys and a clerk to the misdemeanor unit in FY2008. Misdemeanor cases assigned to the misdemeanor unit were previously assigned to felony attorneys. The misdemeanor unit allowed felony attorneys to focus on felony caseloads.

Cochise County Attorney's Office – FY2009 Fill the Gap Plan

The Cochise County Attorney's Office plans to continue funding staff positions using Fill the Gap funds in FY2009.

Cochise County Indigent Defense

Cochise County Indigent Defense – FY2008 Fill the Gap Plan

Cochise County planned to distribute Fill the Gap funds between the Public Defender, Legal Defender, and Indigent Defense Coordinator. Funds were to pay a portion of the salaries for an indigent defense coordinator and a legal defender investigator. The coordinator's responsibilities would be to assign cases to attorneys, as well as track cases to ensure timely completion. The investigator's responsibilities would be to provide the groundwork for cases, allowing attorneys to work on other aspects of cases. Plans also included upgrading the case management system used jointly by the Public Defender's and Legal Defender's Offices and hiring a consultant for the system.

Cochise Indigent Defense Office – FY2008 Fill the Gap Activity

The Cochise County Public Defender's and Legal Defender's Offices primarily used Fill the Gap funds to support the case tracking system through upgrades and consultant fees in FY2008. The office also used Fill the Gap to fund a portion of the salaries for an Indigent Defense Coordinator and a Defense Investigator.

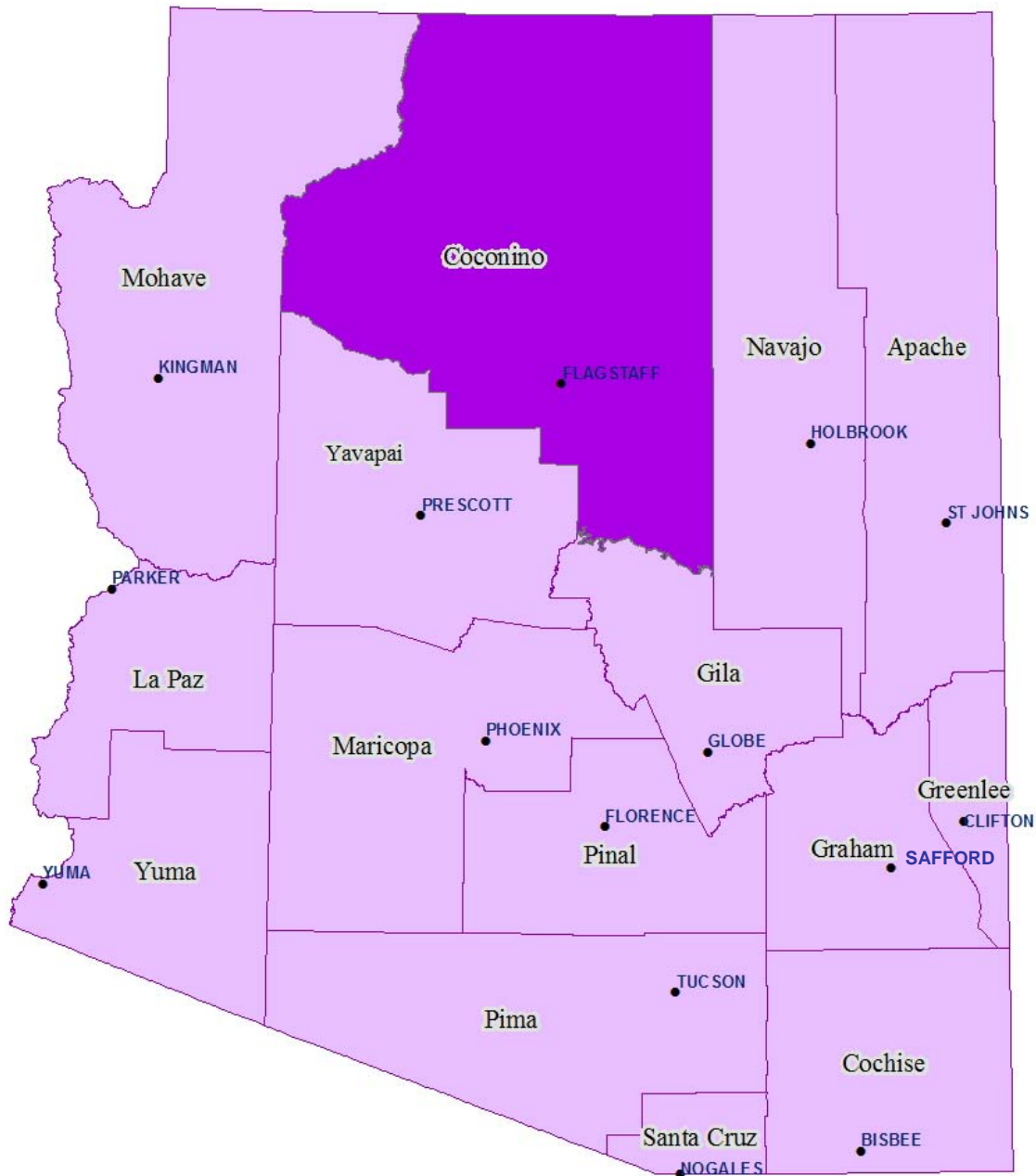
Cochise County Indigent Defense – FY2009 Fill the Gap Plan

The Cochise County Public Defender's Office will use Fill the Gap to fund a portion of the salary for an indigent defense coordinator, a legal defender Investigator, and upgrade and consultant fees related to the case tracking database used by the Public Defender's and Legal Defender's Offices. Responsibilities of the indigent defense coordinator will include tracking statistics related to cases assigned to the Public Defender's Office, the Legal Defender's Office and private attorneys, as well as assisting the court in determining indigence and fee assessment. The legal defender investigator will be responsible for assisting attorneys with case investigation. The case tracking database will track case processing time.

Felony Case Processing Statistics Cochise County FY2006-FY2008			
Cochise County Attorney's Office			
Types of cases excluded from statistics: Not provided.			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	Not provided.	Not provided.	22%
Percent of Felony Cases Adjudicated within 180 Days of Filing	Not provided.	Not provided.	57%
Total Felony Cases Filed	Not provided.	Not provided.	704
Total Felony Cases Terminated	Not provided.	Not provided.	605
Cochise County Public Defender			
Types of cases excluded from statistics: Bench Warrants, Appeals, Withdrawals, Probation Revocation			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	23%	47%	65%
Percent of Felony Cases Adjudicated within 180 Days of Filing	54%	76%	91%
Total Felony Cases Filed	223	319	238
Total Felony Cases Terminated	343	445	262
Cochise County Legal Defender			
Types of cases excluded from statistics: Withdrawals, Appeals, Probation Revocations			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	31%	49%	41%
Percent of Felony Cases Adjudicated within 180 Days of Filing	64%	75%	72%
Total Felony Cases Filed	315	176	124
Total Felony Cases Terminated	317	320	105
Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Cochise County FY2006-2008			
Cases included in analysis: All felony arrests (except for first-degree homicides) resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges during the fiscal year.			
	FY2006	FY2007	FY2008*
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	301	256	282
Percent of Arrest Counts Resulting in Felony Case Adjudication within 180 Days	33%	49%	57%

* FY2008 data is for dispositions finalized between June 1, 2007 and April 30, 2008.

Coconino County



2007 U.S. Census Population Estimate:	127,450
Estimated Population Growth 2000-2007:	+9.6%
Percent of Arizona Population:	2.0%
County Seat:	Flagstaff

Coconino County Fill the Gap Funding FY2007 – FY2008			
	FY2007	FY2008	Difference
Coconino County Attorney's Office	\$33,697	\$37,207	10.4%
Coconino County Superior Court	\$32,029	\$35,358	10.4%

Coconino County Funding Breakdown FY2008			
	FY2008 General Fund	FY2008 Fine Revenue	FY2008 Total Allocated
Coconino County Attorney's Office	\$14,388	\$22,819	\$37,207
Coconino County Superior Court	\$13,695	\$21,663	\$35,358

Coconino County Fill the Gap Funding FY2000 – FY2008									
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008
Coconino County Attorney's Office	\$18,242	\$30,578	\$29,292	\$30,070	\$30,437	\$30,314	\$33,867	\$33,697	\$37,207
Coconino County Superior Court	\$17,328	\$29,044	\$27,821	\$28,557	\$28,934	\$28,817	\$32,191	\$32,029	\$35,358

Coconino County Attorney's Office

Coconino County Attorney's Office – FY2008 Fill the Gap Plan

The office previously under-filled attorney positions because of difficulty recruiting and retaining prosecutors, requiring an increase in the number of deputy county attorney positions to provide additional support for inexperienced prosecutors. The main reason given by the County Attorney's Office for the difficulty recruiting and retaining qualified prosecutors was the salary level in relationship to the cost of living in Flagstaff. The Coconino County Attorney's Office planned to use Fill the Gap funds to supplement one of the deputy positions at approximately 20 percent of the total FTE expense.

Coconino County Attorney's Office – FY2008 Fill the Gap Activity

The Coconino County Attorney's Office used Fill the Gap to partially fund the salaries for a deputy county attorney and an administrative specialist who were assigned to the charging division in FY2008. These two positions helped eliminate the charging backlog and create a more efficient process for charging cases.

Coconino County Attorney's Office – FY2009 Fill the Gap Plan

The Coconino County Attorney's Office did not submit a plan for FY2009.

Coconino County Superior Court

Coconino County Indigent Defense – FY2008 Fill the Gap Plan

Coconino County Superior Court planned to continue to use Fill the Gap funds on behalf of the Public Defender's Office to support the DUI/Drug Court. The office planned to

use funds to increase the number of drug and alcohol cases referred to the DUI/Drug court, fund treatment for participants, and create a new docket for Probation Revocation cases.

Coconino Indigent Defense Office – FY2008 Fill the Gap Activity

The Coconino County Superior Court used Fill the Gap funds for DUI/Drug Court expenses. These funds provided outpatient treatment for defendants with pending felony charges that also had substance abuse/addiction issues. The Superior Court estimated that half of all criminal cases in Coconino County were related to substance abuse. The DUI/Drug Court was aimed at repeat offenders with chronic addictions. In FY2008, 132 defendants participated in the program and received treatment services. Also in FY2008, 68 new defendants were diverted into the program.

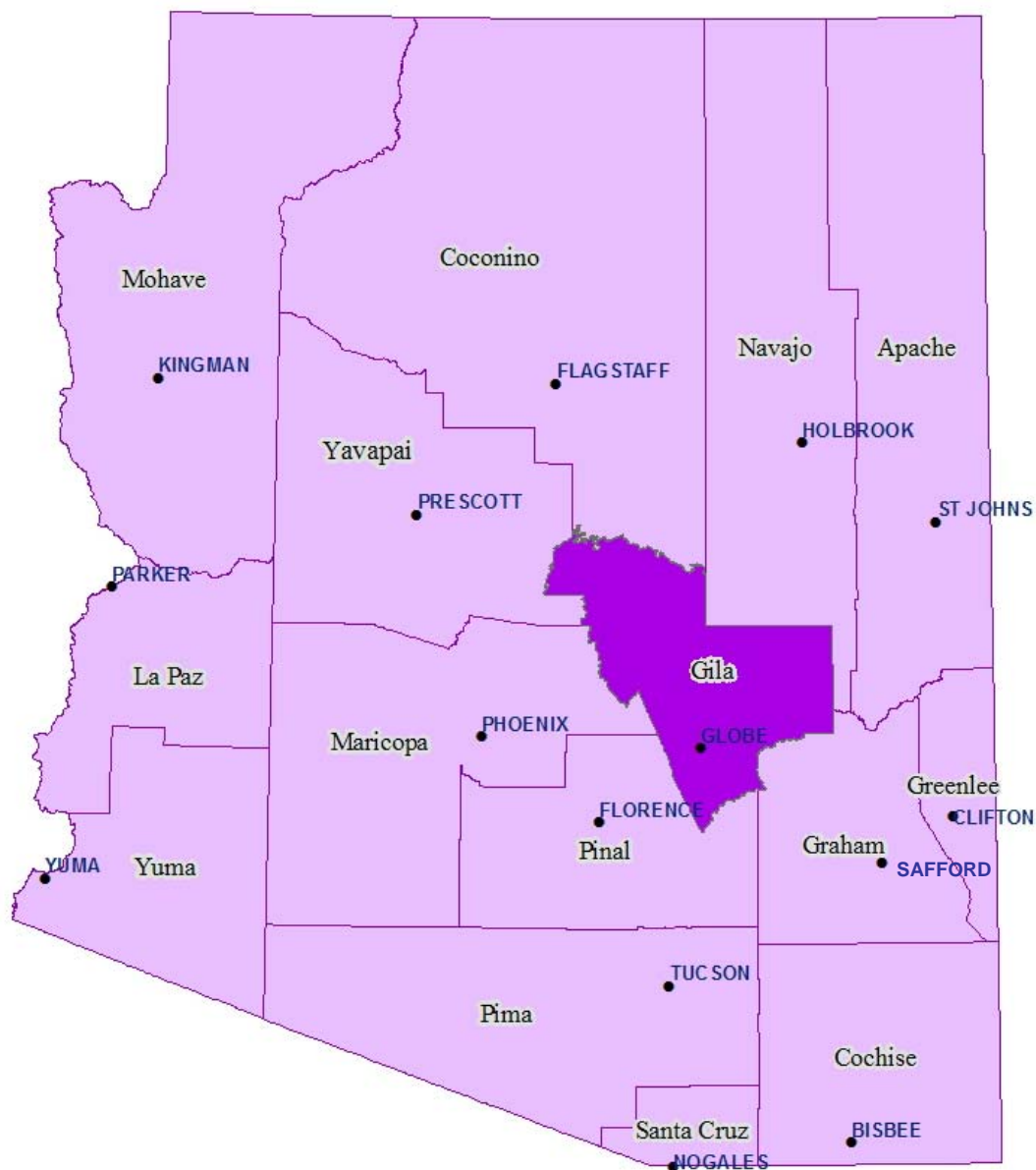
Coconino County Indigent Defense – DUI/Drug Court – FY2009 Fill the Gap Plan

The Coconino County Public Defender's Office will direct Fill the Gap funding to the Coconino County Superior Court for the operation of the DUI/Drug Court and the Probation Revocation Docket. Five Superior Court Divisions will continue to make DUI/Drug Court Drug- and alcohol-related referrals. The Public Defender's Office refers approximately 80 percent of the total DUI/Drug Court population.

Felony Case Processing Statistics Coconino County FY2006-FY2008			
Coconino County Attorney's Office			
Types of cases excluded from statistics: Appeals, Active Warrant Cases, Technical Violations, Days on Warrant Status			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	67%	60%	60%
Percent of Felony Cases Adjudicated within 180 Days of Filing	97%	93%	87%
Total Felony Cases Filed	1,794	1,557	1,446
Total Felony Cases Terminated	1,715	1,591	1,299
Coconino County Superior Court			
Types of cases excluded from statistics: Warrant Delays, Mental Health Cases			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	50%	49.7%	50%
Percent of Felony Cases Adjudicated within 180 Days of Filing	77%	82.3%	81%
Total Felony Cases Filed	1,272	1,066	1,151
Total Felony Cases Terminated	1,184	1,108	1,058
Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Coconino County FY2006-2008			
Cases included in analysis: All felony arrests (except for first-degree homicides) resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges during the fiscal year.			
	FY2006	FY2007	FY2008*
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	301	328	333
Percent of Arrest Counts Resulting in Felony Case Adjudication within 180 Days	38%	36%	39%

* FY2008 data is for dispositions finalized between June 1, 2007 and April 30, 2008.

Gila County



2007 U.S. Census Population Estimate:	51,994
Estimated Population Growth 2000-2007:	+1.3%
Percent of Arizona Population:	0.8%
County Seat:	Globe

Gila County Fill the Gap Funding FY2007 – FY2008			
	FY2007	FY2008	Difference
Gila County Attorney's Office	\$17,813	\$18,319	2.8%
Gila County Superior Court	\$16,932	\$17,409	2.8%

Gila County Funding Breakdown FY2008			
	FY2008 General Fund	FY2008 Fine Revenue	FY2008 Total Allocated
Gila County Attorney's Office	\$7,095	\$11,224	\$18,319
Gila County Superior Court	\$6,754	\$10,655	\$17,409

Gila County Fill the Gap Funding FY2000 – FY2008									
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008
Gila County Attorney's Office	\$11,824	\$20,658	\$21,082	\$21,076	\$20,105	\$17,995	\$18,647	\$17,813	\$18,319
Gila County Superior Court	\$11,231	\$19,622	\$20,023	\$20,016	\$19,111	\$17,012	\$17,724	\$16,932	\$17,409

Gila County Attorney's Office

Gila County Attorney's Office – FY2008 Fill the Gap Plan

The Gila County Attorney's Office planned to use Fill the Gap funds to supplement the office's computer equipment and case management system budget. Fill the Gap funds would supplement county funds to purchase licenses, upgrades, and equipment related to the case management system, the Superior Court Minute Entry System, and the phone system that is integrated into the computer system, as well as part of the cost of purchasing a new server for the Payson office and new computer equipment to replace outdated units.

Gila County Attorney's Office – FY2008 Fill the Gap Activity

The Gila County Attorney's Office used Fill the Gap funds to lease equipment from the courts in order to print court minute entries and to purchase software licenses for the internal case management system. The office entered into a contract with a company to develop a new case management system with a target completion date of December 2009.

Gila County Attorney's Office – FY2009 Fill the Gap Plan

The Gila County Attorney's Office plans to use FY2009 Fill the Gap funds to supplement its existing budget for computer equipment. If the agency receives a higher level of Fill the Gap funding than in previous years, the Gila County Attorney Office plans to purchase a case management system, a Superior Court Minute Entry System, a telephone system, and computer link-ups to law enforcement agencies using a combination of Gila County General Funds and Fill the Gap funds.

Gila County Indigent Defense

Gila County Indigent Defense – FY2008 Fill the Gap Plan

The Gila County Superior Court planned to use Fill the Gap funds to purchase maintenance contracts for the court calendar automation program the court purchased in FY2007 and to purchase enhancements not offered as regular updates. The office planned to implement the court calendar program in early FY2008. The office also planned to hire expert witnesses, investigators, and cover other unexpected costs not covered by the County budget using Fill the Gap funds.

Gila Indigent Defense Office – FY2008 Fill the Gap Activity

In FY2008, the Gila County Superior Court used a portion of Fill the Gap funds to purchase a maintenance contract for the court calendar program previously purchased using Fill the Gap Funds. The office saved the majority of Fill the Gap funds in order to supplement indigent defense representation costs over and above the amount budgeted for indigent defense in future years.

Gila County Indigent Defense – FY2009 Fill the Gap Plan

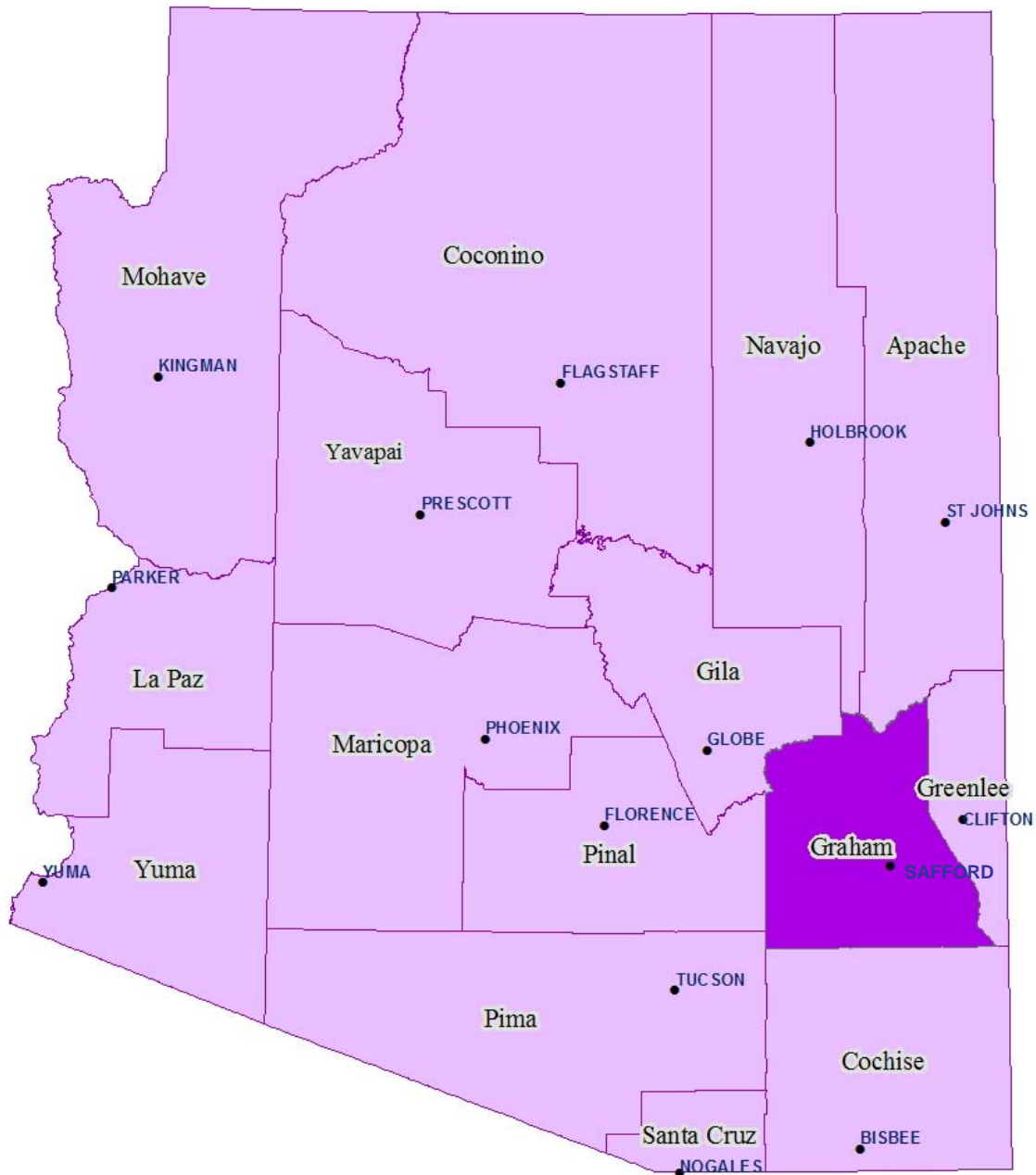
The Gila County Superior Court plans to continue to purchase a software maintenance contract using Fill the Gap funds. The office also plans to use Fill the Gap funds to pay indigent defense representation costs if unanticipated costs cause the budgeted amount to be insufficient.

Felony Case Processing Statistics Gila County FY2006-FY2008			
Gila County Attorney's Office			
Types of cases excluded from statistics: Appeals, Warrants, Homicides, Extended Deferred Cases			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	89%	88%	90%
Percent of Felony Cases Adjudicated within 180 Days of Filing	96%	97%	97%
Total Felony Cases Filed	660	764	682
Total Felony Cases Terminated	570	565	506
Gila County Superior Court*			
Types of cases excluded from statistics: None			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	22.4%	16.4%	32.3%
Percent of Felony Cases Adjudicated within 180 Days of Filing	61.8%	55.6%	70.5%
Total Felony Cases Filed	640	718	766
Total Felony Cases Terminated	617	574	733
Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Gila County FY2006-2008			
Cases included in analysis: All felony arrests (except for first-degree homicides) resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges during the fiscal year.			
	FY2006	FY2007	FY2008**
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	440	421	461
Percent of Arrest Counts Resulting in Felony Case Adjudication within 180 Days	15%	13%	5%

* Agency was unable to use date of arraignment for calculating purposes in FY2006 and FY2007, so the date of filing was used. Actual percentages would be higher using date of arraignment as the start date.

** FY2008 data is for dispositions finalized between June 1, 2007 and April 30, 2008.

Graham County



2007 U.S. Census Population Estimate:	34,769
Estimated Population Growth 2000-2007:	+3.8%
Percent of Arizona Population:	0.5%
County Seat:	Safford

Graham County Fill the Gap Funding FY2007 – FY2008			
	FY2007	FY2008	Difference
Graham County Attorney's Office	\$9,606	\$10,677	11.1%
Graham County Superior Court	\$9,129	\$10,147	11.2%

Graham County Funding Breakdown FY2008			
	FY2008 General Fund	FY2008 Fine Revenue	FY2008 Total Allocated
Graham County Attorney's Office	\$4,131	\$6,546	\$10,677
Graham County Superior Court	\$3,932	\$6,215	\$10,147

Graham County Fill the Gap Funding FY2000 – FY2008									
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008
Graham County Attorney's Office	\$5,000	\$9,283	\$10,150	\$10,491	\$10,431	\$9,426	\$9,774	\$9,606	\$10,677
Graham County Superior Court	\$4,749	\$8,818	\$9,641	\$9,963	\$9,915	\$8,961	\$9,290	\$9,129	\$10,147

Graham County Attorney's Office

Graham County Attorney's Office – FY2008 Fill the Gap Plan

The Graham County Attorney's Office planned to use Fill the Gap funds to pay the yearly maintenance fee for the case management system, providing technical support and upgrades. The office also planned to supplement employee salaries and professional services related to computer systems and programs, as well as purchase additional computer hardware and software.

Graham County Attorney's Office – FY2008 Fill the Gap Activity

The Graham County Attorney's Office primarily funded equipment purchases using Fill the Gap funds in FY2008. The office purchased digital recorders, computers, and printers for new staff members. Fill the Gap also funded the annual maintenance fee for the case management system and some overtime costs.

Graham County Attorney's Office – FY2009 Fill the Gap Plan

The Graham County Attorney's Office plans to use FY2009 Fill the Gap funds to pay for a yearly maintenance fee for the office's case management system. This fee covers technical assistance and upgrades to the case management system. The office also plans to use Fill the Gap to supplement employee salaries and professional services related to computer systems and programs, as well as the purchase of additional equipment.

Graham County Superior Court

Graham County Indigent Defense – FY2008 Fill the Gap Plan

The Graham County Superior Court planned to use Fill the Gap funds to pay a portion of the costs related to increasing the number of contracted attorneys used to keep indigent defense caseloads at a manageable level in Graham County.

Graham Indigent Defense Office – FY2008 Fill the Gap Activity

The Graham County Superior Court used Fill the Gap to fund defense counsel expenditures above the budgeted amount for Graham County for FY2008.

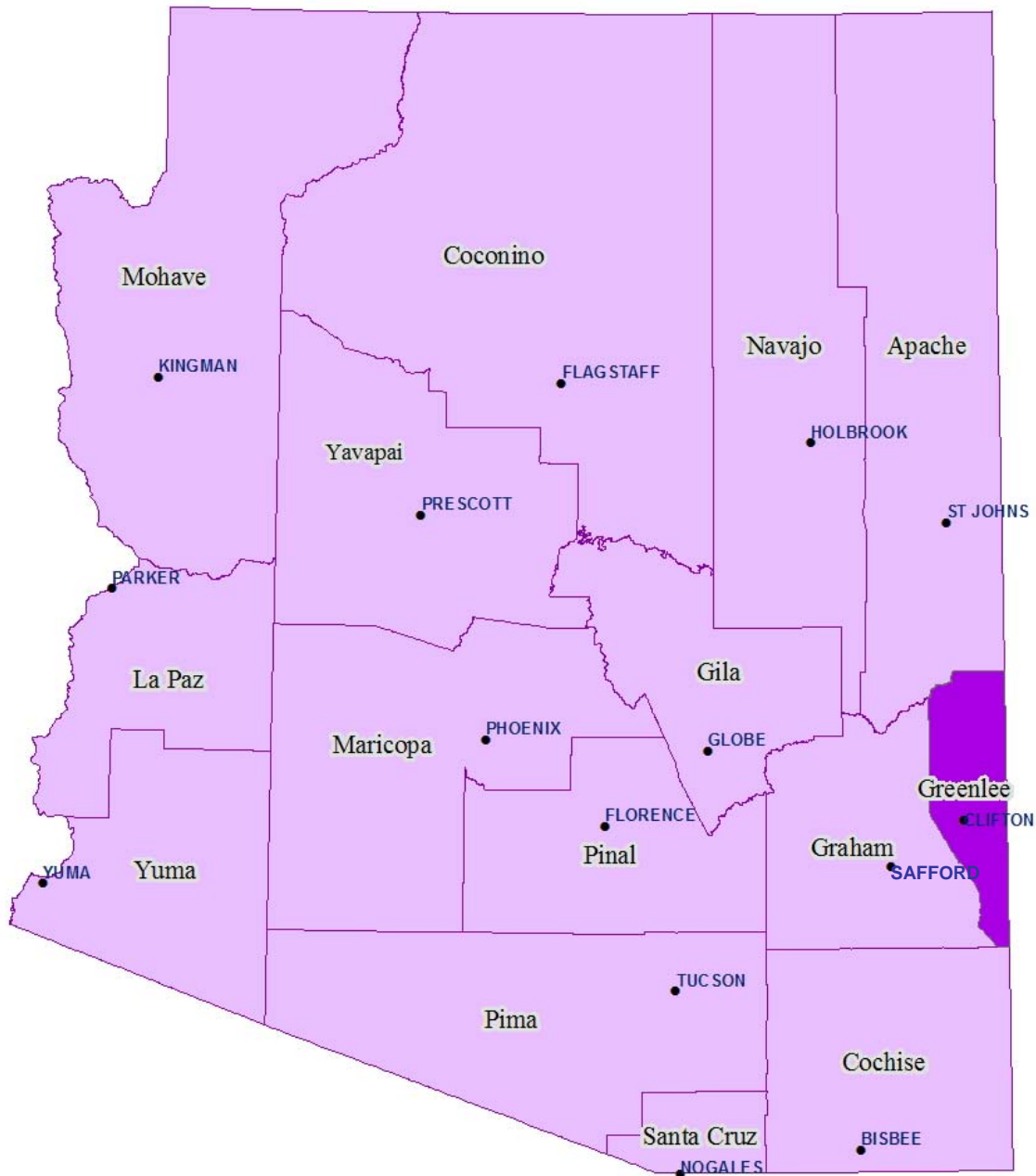
Graham County Indigent Defense – FY2009 Fill the Gap Plan

The Graham County Superior Court plans to use Fill the Gap funds to hire attorneys to serve as indigent defense counsel.

Felony Case Processing Statistics Graham County FY2006-FY2008			
Graham County Attorney's Office			
Types of cases excluded from statistics: Warrants, Probation Violation Cases			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	45.3%	36.1%	41%
Percent of Felony Cases Adjudicated within 180 Days of Filing	76.4%	76.3%	73%
Total Felony Cases Filed	376	461	606
Total Felony Cases Terminated	309	370	366
Graham County Superior Court			
Types of cases excluded from statistics: None			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	45.3%	36.1%	40.9%
Percent of Felony Cases Adjudicated within 180 Days of Filing	76.4%	76.3%	73.0%
Total Felony Cases Filed	376	461	490
Total Felony Cases Terminated	309	370	359
Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Graham County FY2006-2008			
Cases included in analysis: All felony arrests (except for first-degree homicides) resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges during the fiscal year.			
	FY2006	FY2007	FY2008*
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	268	268	252
Percent of Arrest Counts Resulting in Felony Case Adjudication within 180 Days	35%	38%	35%

* FY2008 data is for dispositions finalized between June 1, 2007 and April 30, 2008.

Greenlee County



2007 U.S. Census Population Estimate:	7,754
Estimated Population Growth 2000-2007:	-9.3%
Percent of Arizona Population:	0.1%
County Seat:	Clifton

Greenlee County Fill the Gap Funding FY2007 – FY2008			
	FY2007	FY2008	Difference
Greenlee County Attorney's Office	\$2,147	\$2,334	8.7%
Greenlee County Superior Court	\$2,039	\$2,218	8.8%

Greenlee County Funding Breakdown FY2008			
	FY2008 General Fund	FY2008 Fine Revenue	FY2008 Total Allocated
Greenlee County Attorney's Office	\$903	\$1,431	\$2,334
Greenlee County Superior Court	\$859	\$1,359	\$2,218

Greenlee County Fill the Gap Funding FY2000 – FY2008									
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008
Greenlee County Attorney's Office	\$1,554	\$2,437	\$2,141	\$2,305	\$2,443	\$2,436	\$2,415	\$2,147	\$2,334
Greenlee County Superior Court	\$1,476	\$2,315	\$2,033	\$2,189	\$2,322	\$2,315	\$2,296	\$2,039	\$2,218

Greenlee County Attorney's Office

Greenlee County Attorney's Office – FY2008 Fill the Gap Plan

The Greenlee County Attorney's Office planned to purchase office supplies such as multi-page file folders and to lease a copy machine.

Greenlee County Attorney's Office – FY2008 Fill the Gap Activity

The Greenlee County Attorney's Office leased a copy machine and purchase office supplies in FY2008 using Fill the Gap funds.

Greenlee County Attorney's Office – FY2009 Fill the Gap Plan

The Greenlee County Attorney's Office intends to use Fill the Gap funds to lease a copy machine for copying disclosure documents for defense counsel. The office also plans to use funds to purchase organizational supplies such as multi-page file folders and other office supplies.

Greenlee County Superior Court

Greenlee County Indigent Defense – FY2008 Fill the Gap Plan

The Greenlee County Superior Court planned to use Fill the Gap funds to contract with attorneys from neighboring Graham County to provide indigent defense representation as needed.

Greenlee Indigent Defense Office – FY2008 Fill the Gap Activity

The Greenlee County Superior Court did not spend Fill the Gap funds in FY2008. The court set aside these funds to hire defense attorneys for indigent defense.

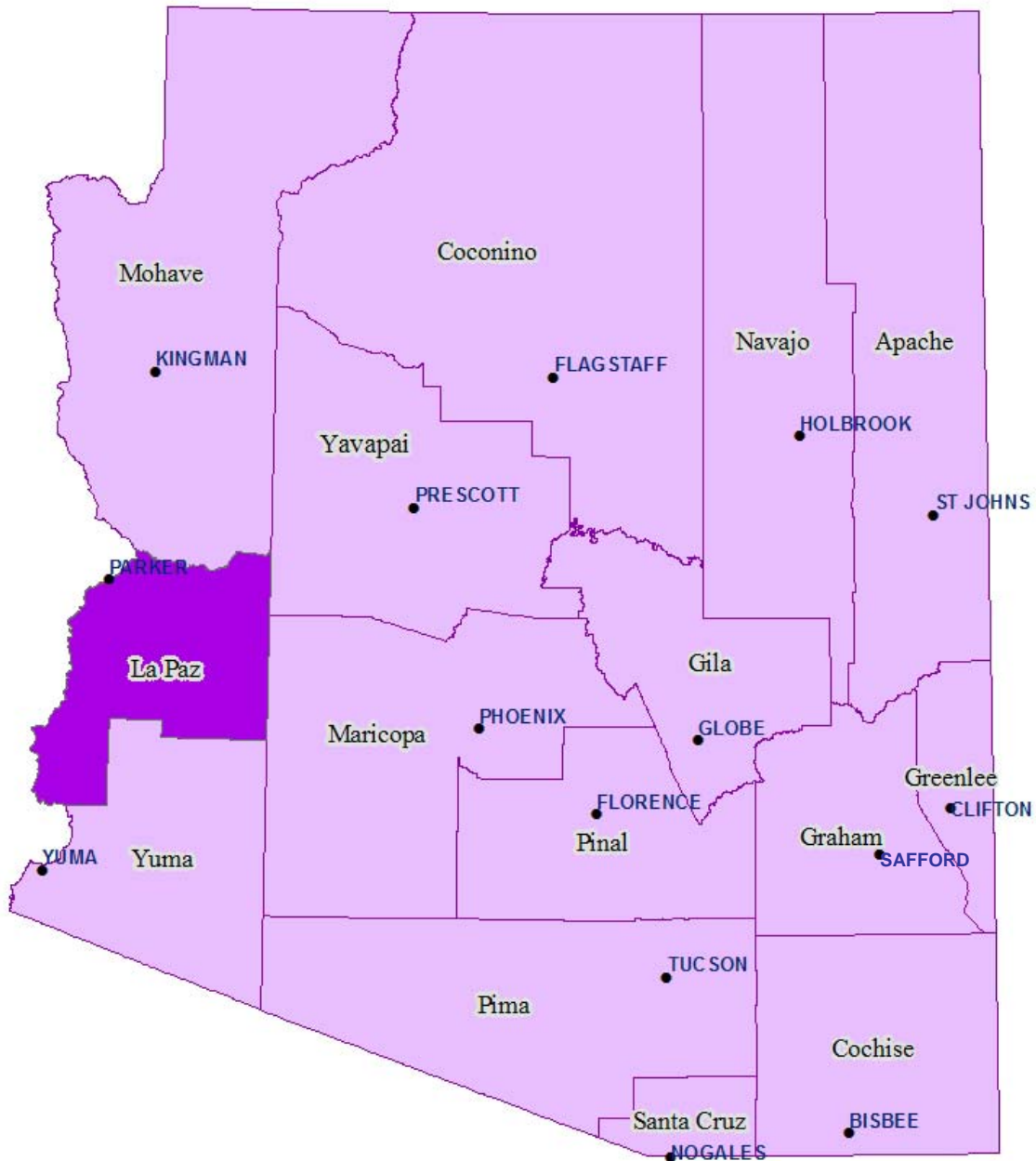
Greenlee County Indigent Defense – FY2009 Fill the Gap Plan

The Greenlee County Superior Court will use Fill the Gap funds to contract with attorneys in neighboring Graham County to provide indigent defense representation. The court anticipates that contracting with attorneys in Graham Counties will ensure the timely availability of counsel for indigent defendants in Greenlee County because there is only one attorney in Greenlee County not employed by the County Attorney's Office.

Felony Case Processing Statistics Greenlee County FY2006-FY2008			
Greenlee County Attorney's Office			
Types of cases excluded from statistics: Appeals, Warrant-Status Cases, Revocations, Rule 11 Cases			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	91%	89%	85%
Percent of Felony Cases Adjudicated within 180 Days of Filing	99%	98%	96%
Total Felony Cases Filed	123	119	104
Total Felony Cases Terminated	9	9	10
Greenlee County Superior Court			
Data reported individually by case rather than compiled by year because of limitations in pulling case processing data using the current case processing system.			
Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Greenlee County FY2006-2008			
Cases included in analysis: All felony arrests (except for first-degree homicides) resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges during the fiscal year.			
	FY2006	FY2007	FY2008*
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	171	166	180
Percent of Arrest Counts Resulting in Felony Case Adjudication within 180 Days	64%	66%	66%

* FY2008 data is for dispositions finalized between June 1, 2007 and April 30, 2008.

La Paz County



2007 U.S. Census Population Estimate:	20,172
Estimated Population Growth 2000-2007:	+2.3%
Percent of Arizona Population:	0.3%
County Seat:	Parker

La Paz County Fill the Gap Funding FY2007 – FY2008			
	FY2007	FY2008	Difference
La Paz County Attorney's Office	\$9,513	\$10,150	6.7%
La Paz County Superior Court	\$9,042	\$9,646	6.7%

La Paz County Funding Breakdown FY2008			
	FY2008 General Fund	FY2008 Fine Revenue	FY2008 Total Allocated
La Paz County Attorney's Office	\$3,945	\$6,205	\$10,150
La Paz County Superior Court	\$3,755	\$5,891	\$9,646

La Paz County Fill the Gap Funding FY2000 – FY2008									
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008
La Paz County Attorney's Office	\$4,121	\$7,228	\$7,412	\$7,478	\$7,628	\$8,350	\$9,442	\$9,513	\$10,150
La Paz County Superior Court	\$3,915	\$6,865	\$7,041	\$7,102	\$7,251	\$7,936	\$8,974	\$9,042	\$9,646

La Paz County Attorney's Office

La Paz County Attorney's Office – FY2008 Fill the Gap Plan

The La Paz County Attorney's Office planned to use Fill the Gap funds to purchase additional software and equipment needed to copy DVDs of interviews submitted by law enforcement. Additionally, the office planned to purchase a laptop computer and Internet card to facilitate online tracking of victims, witness, and suspects who were out of town and software and video equipment necessary for courtroom presentations, investigations, and training sessions.

The office also planned to purchase a vehicle and surveillance equipment for use during investigations to provide the investigator the ability to travel to crime scenes, observe suspects, and expedite the filing of documents with the county's remote courts as well as the Court of Appeals and Supreme Court.

La Paz County Attorney's Office – FY2008 Fill the Gap Activity

The La Paz County Attorney's Office used Fill the Gap funds to purchase computer equipment and software. Funds also were used to train staff to use the case management system.

La Paz County Attorney's Office – FY2009 Fill the Gap Plan

The La Paz County Attorney's Office plans to use Fill the Gap funds to purchase software and equipment used for case management, case tracking, legal research, and victim services. The office also plans to purchase software and video equipment used

for courtroom presentations and training sessions and an additional computer server, as well as a vehicle and surveillance equipment for use in investigations.

La Paz County Public Defender

La Paz County Indigent Defense – FY2008 Fill the Gap Plan

The La Paz County Public Defender's Office planned to update computer equipment for attorneys and staff and purchase legal software using Fill the Gap funds.

La Paz Indigent Defense Office – FY2008 Fill the Gap Activity

The La Paz County Public Defender's Office used Fill the Gap funds to license two staff members, one bi-lingual, as notaries in order to reduce time previously spent obtaining notary services and finding an interpreter from other agencies. The office also used Fill the Gap funds to update the case management system and purchase cubicle desks and storage arrangements creating individual workstations for employees.

La Paz County Indigent Defense – FY2009 Fill the Gap Plan

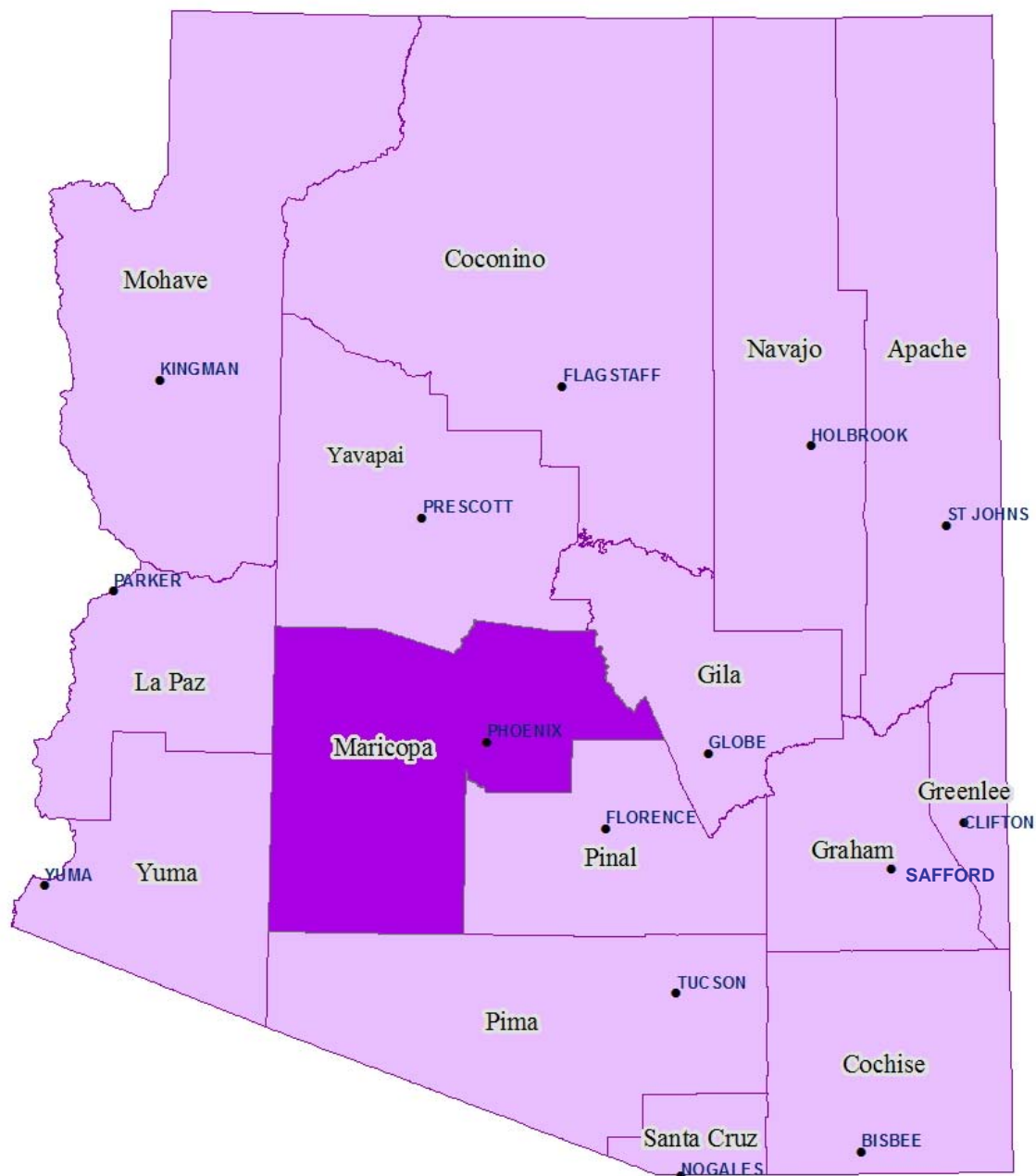
The La Paz County Public Defender's Office plans to use Fill the Gap fund to finish upgrading and modifying the office case management software. The agency plans to use Fill the Gap to enhance the technological capabilities of the agency.

Felony Case Processing Statistics La Paz County FY2006-FY2008			
La Paz County Attorney's Office			
Types of cases excluded from statistics: None			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	46.6%	55.7%	22.6%
Percent of Felony Cases Adjudicated within 180 Days of Filing	74.8%	71.8%	40.7%
Total Felony Cases Filed	474	344	337
Total Felony Cases Terminated	511	332	286
La Paz County Public Defender's Office*			
Types of cases excluded from statistics: Warrants, Appeals, Diversion, Mental Competency Cases			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	21.2%	17.3%	22.6%
Percent of Felony Cases Adjudicated within 180 Days of Filing	56.5%	50.8%	42.9%
Total Felony Cases Filed	Not Provided		336
Total Felony Cases Terminated	439	329	177
Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System La Paz County FY2006-2008			
Cases included in analysis: All felony arrests (except for first-degree homicides) resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges during the fiscal year.			
	FY2006	FY2007	FY2008**
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	222	336	348
Percent of Arrest Counts Resulting in Felony Case Adjudication within 180 Days	51%	30%	36%

* The La Paz County Public Defender's Office noted that FY2008 statistics may not be accurate because of a case management system switchover.

** FY2008 data is for dispositions finalized between June 1, 2007 and April 30, 2008.

Maricopa County



2007 U.S. Census Population Estimate:	3,880,181
Estimated Population Growth 2000-2007:	+26.3%
Percent of Arizona Population:	61.2%
County Seat:	Phoenix

Maricopa County Fill the Gap Funding FY2007 – FY2008			
	FY2007	FY2008	Difference
Maricopa County Attorney's Office	\$560,172	\$669,028	19.4%
Maricopa County Public Defender's Office	\$531,892	\$635,147	19.4%

Maricopa County Funding Breakdown FY2008			
	FY2008 General Fund	FY2008 Fine Revenue	FY2008 Total Allocated
Maricopa County Attorney's Office	\$0	\$669,028	\$669,028
Maricopa County Public Defender's Office	\$0	\$635,147	\$635,147

Maricopa County Fill the Gap Funding FY2000 – FY2008									
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008
Maricopa County Attorney's Office	\$396,408	\$736,403	\$805,910	\$425,289	\$438,581	\$448,062	\$541,572	\$560,172	\$669,028
Maricopa County Public Defender's Office	\$376,528	\$699,465	\$765,429	\$403,804	\$416,420	\$425,421	\$514,231	\$531,892	\$635,147

Maricopa County Attorney's Office

Maricopa County Attorney's Office – FY2008 Fill the Gap Plan

The Maricopa County Attorney's Office planned to use Fill the Gap funds to hire support staff assigned to three major projects. The office planned to assign the support staff to the Southeast Superior County Division, the Early Disposition Court and the pre-trial bureaus.

Maricopa County Attorney's Office – FY2008 Fill the Gap Activity

The Maricopa County Attorney's Office used Fill the Gap to fund 10 administrative office support and two legal support positions assigned to charging and pre-trial bureaus. The Maricopa County Attorney's Office reports that these staff members allowed the pre-trial bureaus to process out-of-custody cases within 30 days and enter charging decisions in the case management system.

Maricopa County Attorney's Office – FY2009 Fill the Gap Plan

The Maricopa County Attorney's Office plans to use Fill the Gap funds to hire support staff assigned to the Southeast Superior Court, the Early Disposition Court at the Southeast Facility in Mesa, and pre-trial bureaus. A total of 12 full-time positions will be funded using Fill the Gap funds.

Maricopa County Indigent Defense

Maricopa County Indigent Defense – FY2008 Fill the Gap Plan

The Maricopa County Public Defender's and Legal Defender's offices planned to use Fill the Gap funds to pay for 14.5 positions and to improve the Indigent Representation Information System (IRIS). Planned improvements to IRIS included adding five additional data exchanges (bonds, warrants, dispositions and sentences, petitions for post-conviction relief, and enhancements to the initial appearance data exchange); transferring the Public Defender Mental Health and Appeals databases to IRIS; implementing IRIS in the Legal Defender's Office and the Legal Advocate's Office; and transferring/converting files from those offices to IRIS.

Maricopa Indigent Defense Office – FY2008 Fill the Gap Activity

The Maricopa County Public Defender and Legal Defender's Offices assigned the 11.5 attorneys and two support positions funded through Fill the Gap to specialty courts including Regional Court Center/Early Disposition Court (RCC/EDC). Two-thirds of felony cases resolved in FY2008 used the RCC/EDC process.

Fill the Gap also funded an IRIS project manager position. This employee was responsible for overseeing the conversion of the mental health data system for transfer to IRIS, transferring public defender records to the newly created Juvenile Public Defender's Office, and initiating the preliminary phases for the conversion of Legal Defender and Legal Advocate felony records for transfer to IRIS.

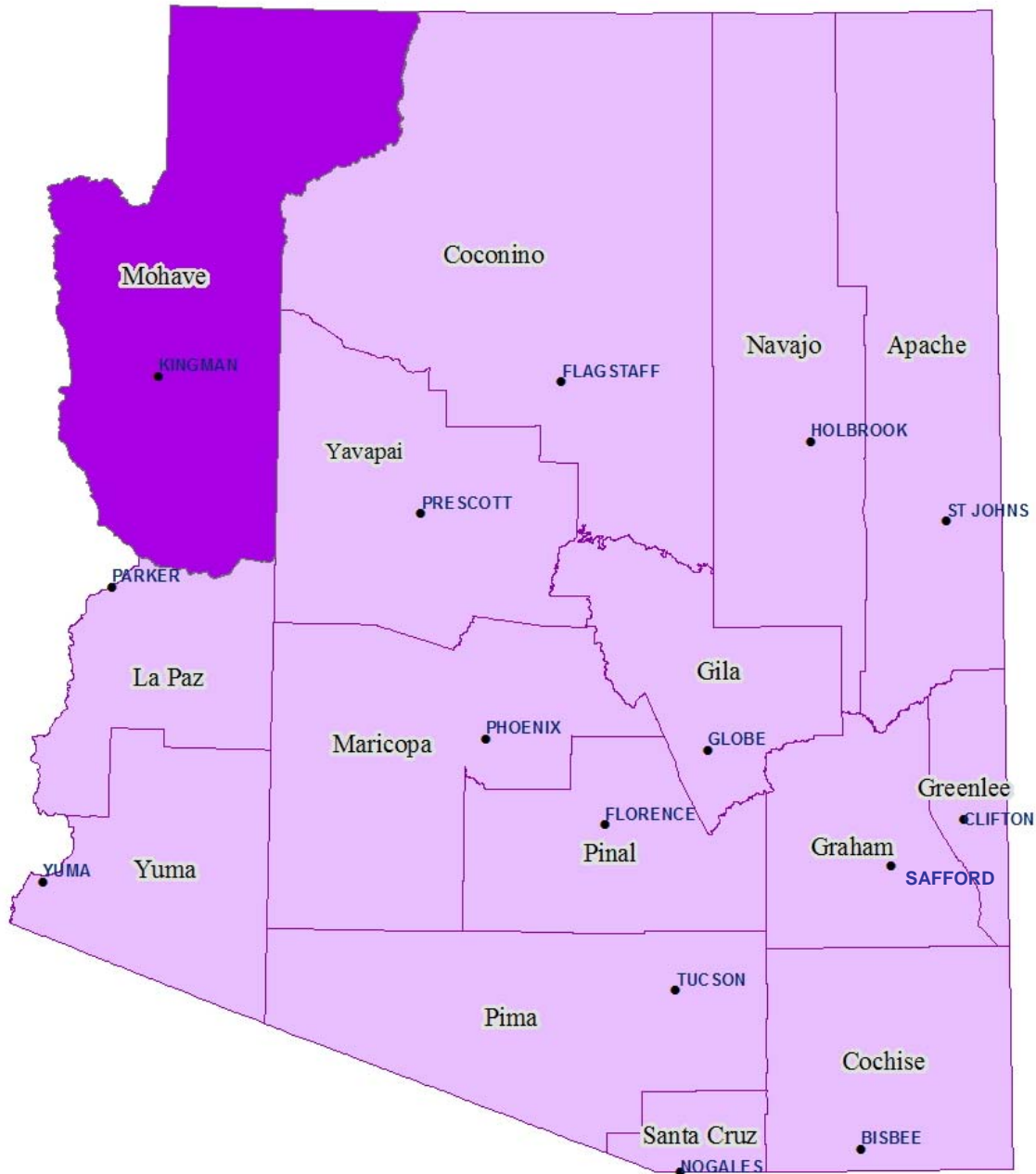
Maricopa County Indigent Defense – FY2009 Fill the Gap Plan

The Maricopa County Public Defender's Office plans to use Fill the Gap to fund positions for 11 attorneys, one paralegal, and one legal secretary. The Legal Defender's Office plans to use Fill the Gap to fund one half-time attorney position. The Public Defender's Office also plans to use Fill the Gap to fund a managerial position for IRIS.

Felony Case Statistics Maricopa County FY2006-FY2008			
Maricopa County Attorney's Office			
Types of cases excluded from statistics: Homicide; Highly Complex; Appeals; Diversion; Probation Violations; Time spent in Rule 11 hearings, in Warrant Status, or in Special Actions			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	72%	75%	72%
Percent of Felony Cases Adjudicated within 180 Days of Filing	89%	88%	87%
Total Felony Cases Filed	41,544	40,286	42,081
Total Felony Cases Terminated	37,989	35,799	36,524
Maricopa County Public Defender's Office			
Types of cases excluded from statistics: Appeals and Probation Violations			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	74.7%	74.9%	74.3%
Percent of Felony Cases Adjudicated within 180 Days of Filing	87.8%	87.8%	86.3%
Total Felony Cases Filed	39,073	37,357	39,513
Total Felony Cases Terminated	37,833	36,159	37,464
Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Maricopa County FY2006-2008			
Cases included in analysis: All felony arrests (except for first-degree homicides) resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges during the fiscal year.			
	FY2006	FY2007	FY2008*
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	207	222	222
Percent of Arrest Counts Resulting in Felony Case Adjudication within 180 Days	61%	62%	58%

* FY2008 data is for dispositions finalized between June 1, 2007 and April 30, 2008.

Mohave County



2007 U.S. Census Population Estimate:	194,944
Estimated Population Growth 2000-2007:	+25.7%
Percent of Arizona Population:	3.1%
County Seat:	Kingman

Mohave County Fill the Gap Funding FY2007 – FY2008			
	FY2007	FY2008	Difference
Mohave County Attorney's Office	\$46,149	\$51,717	12.1%
Mohave County Public Defender's Office	\$43,865	\$49,147	12.0%

Mohave County Funding Breakdown FY2008			
	FY2008 General Fund	FY2008 Fine Revenue	FY2008 Total Allocated
Mohave County Attorney's Office	\$19,980	\$31,737	\$51,717
Mohave County Public Defender's Office	\$19,017	\$30,130	\$49,147

Mohave County Fill the Gap Funding FY2000 – FY2008									
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008
Mohave County Attorney's Office	\$25,338	\$43,535	\$43,518	\$44,103	\$43,424	\$42,493	\$45,185	\$46,149	\$51,717
Mohave County Public Defender's Office	\$24,066	\$41,353	\$41,332	\$41,883	\$41,278	\$40,395	\$42,950	\$43,865	\$49,147

Mohave County Attorney's Office

Mohave County Attorney's Office – FY2008 Fill the Gap Plan

The Mohave County Attorney's Office planned to use Fill the Gap funds to purchase courtroom technology, support the case management system, purchase computer equipment, and support the victim/witness program. The office also planned to lease and maintain computers for employees in grant-funded positions.

Mohave County Attorney's Office – FY2008 Fill the Gap Activity

The Mohave County Attorney's Office spent the bulk of Fill the Gap funds on equipment including computers, printers, and shredders. Fill the Gap funding allowed staff members to attend an out-of-state training conference on operating the case management program more efficiently. The office used Fill the Gap funds to hire temporary staff, including a law clerk and intern, and partially fund a domestic violence coordinator position in FY2008.

The Mohave County Attorney's Office noted that the percent of cases adjudicated within 100 and 180 days of filing increased according to their records from FY2007 to FY2008. A hiring freeze during this time caused the office to leave three prosecuting attorney and three support staff positions unfilled in FY2008.

Mohave County Attorney's Office – FY2009 Fill the Gap Plan

The Mohave County Attorney's Office plans to use Fill the Gap funds to purchase laptop computers and associated software. The office will also use Fill the Gap fund to purchase software that will allow the new laptops to be able to access case information

using a wireless network. The office will also purchase scanning interfaces for office copy machines and server upgrades using Fill the Gap funds and hire an attorney intern.

Mohave County Public Defender's Office

Mohave County Indigent Defense – FY2008 Fill the Gap Plan

The Mohave County Public Defender's Office planned to use Fill the Gap funds to hire an additional office clerk. This new support position was to implement and utilize a new digital scanning system to digitize all documents coming into the office as well as closed files. The office planned to purchase laptops for attorneys to access a mobile program connected to the case management system, which would allow attorneys to enter notes directly into the system, rather than taking notes during court proceedings and transferring those notes at a later time. The office also planned to purchase software subscriptions, upgrades, and training on software through Fill the Gap.

Mohave Indigent Defense Office – FY2008 Fill the Gap Activity

The Mohave County Public Defender's Office purchased high-speed digital scanners and the accompanying software and licenses using Fill the Gap funds. The office hired a file clerk responsible for the majority of the scanning using Fill the Gap funds. The clerk and other staff members scanned both incoming and archived documents in an effort to transfer from using paper files to using tablet computers within the next 5-10 years.

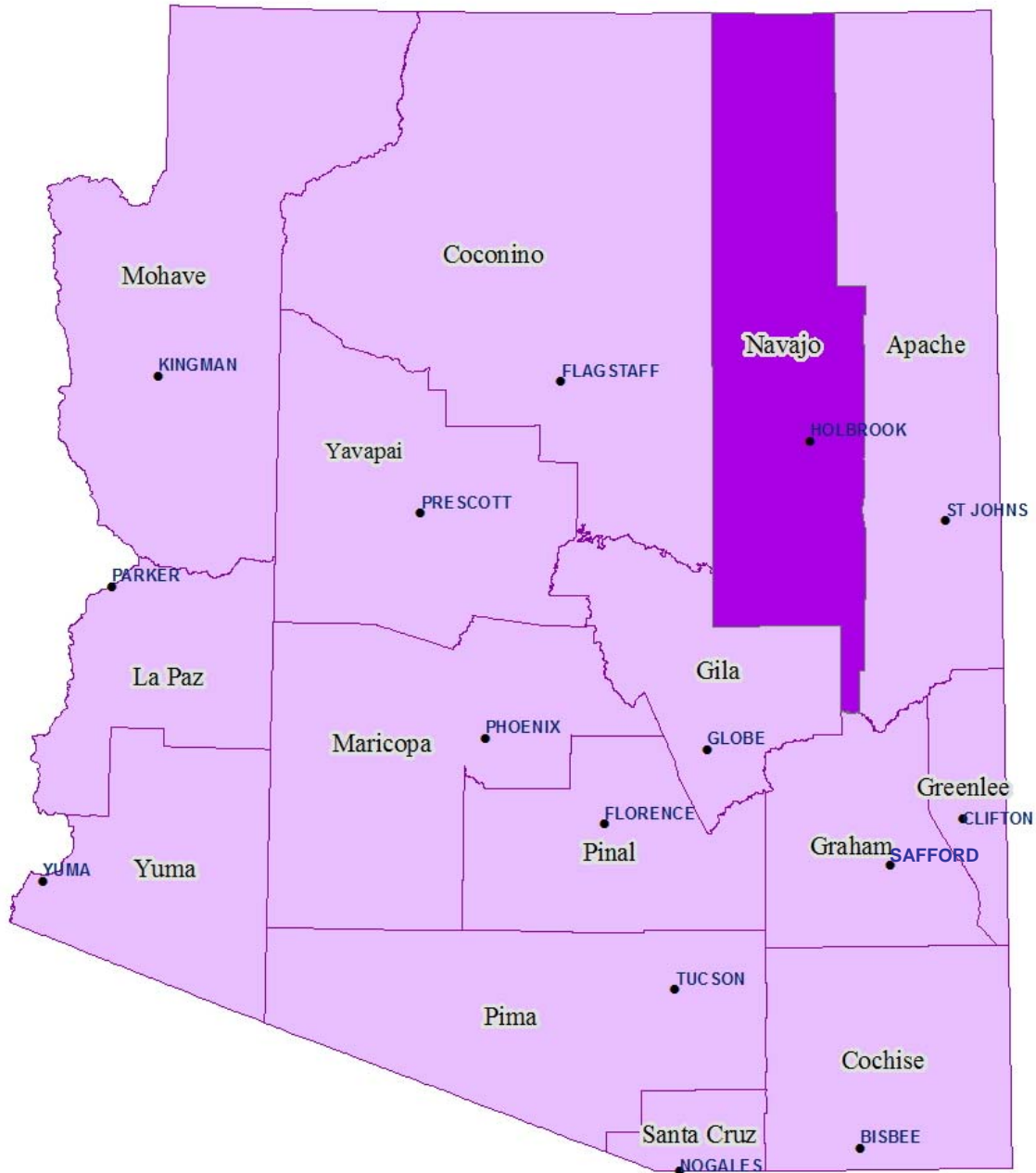
Mohave County Indigent Defense – FY2009 Fill the Gap Plan

The Mohave County Public Defender's Office plans to use Fill the Gap to fund one office clerk position and to hire summer interns. The clerk will be responsible for digitizing all office documents. The office also plans to purchase laptop computers that are capable of remote link-up to the case management system and to subscribe to electronic research services using Fill the Gap funds.

Felony Case Processing Statistics Mohave County FY2006-FY2008			
Mohave County Attorney's Office			
Types of cases excluded from statistics: None			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	65%	62%	69%
Percent of Felony Cases Adjudicated within 180 Days of Filing	90%	85%	90%
Total Felony Cases Filed	1,855	1,850	2,647
Total Felony Cases Terminated	1,851	1,561	3,317
Mohave County Public Defender's Office			
Types of cases excluded from statistics: Unknown			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	Not Provided	50.7%	40%
Percent of Felony Cases Adjudicated within 180 Days of Filing	Not Provided	85.7%	79%
Total Felony Cases Filed	Not Provided	Not Provided	824
Total Felony Cases Terminated	Not Provided	Not Provided	Not Provided
Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Mohave County FY2006-2008			
Cases included in analysis: All felony arrests (except for first-degree homicides) resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges during the fiscal year.			
	FY2006	FY2007	FY2008*
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	178	213	244
Percent of Arrest Counts Resulting in Felony Case Adjudication within 180 Days	69%	59%	49%

* FY2008 data is for dispositions finalized between June 1, 2007 and April 30, 2008.

Navajo County



2007 U.S. Census Population Estimate:	111,273
Estimated Population Growth 2000-2007:	+14.2%
Percent of Arizona Population:	1.8%
County Seat:	Holbrook

Navajo County Fill the Gap Funding FY2007 – FY2008			
	FY2007	FY2008	Difference
Navajo County Attorney's Office	\$28,338	\$31,553	11.3%
Navajo County Superior Court	\$26,936	\$29,985	11.3%

Navajo County Funding Breakdown FY2008			
	FY2008 General Fund	FY2008 Fine Revenue	FY2008 Total Allocated
Navajo County Attorney's Office	\$12,200	\$19,353	\$31,553
Navajo County Superior Court	\$11,612	\$18,373	\$29,985

Navajo County Fill the Gap Funding FY2000 – FY2008									
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008
Navajo County Attorney's Office	\$14,121	\$25,138	\$26,231	\$27,377	\$27,407	\$25,888	\$28,828	\$28,338	\$31,553
Navajo County Superior Court	\$13,414	\$23,877	\$24,913	\$25,999	\$26,052	\$24,607	\$27,402	\$26,936	\$29,985

Navajo County Attorney's Office

Navajo County Attorney's Office – FY2008 Fill the Gap Plan

The Navajo County Attorney's Office planned to use Fill the Gap funds to continue converting to a new case management system with increased functionality. Plans also included adding electronic scanning capability of disclosure and other case-related documents to the new case management system. The Navajo County Attorney's Office anticipated that Fill the Gap would be used to fund half the cost of adding a new felony charging attorney at the new Show Low office.

Navajo County Attorney's Office – FY2008 Fill the Gap Activity

The Navajo County Attorney's Office reported that they were not able to implement a planned case management system in FY2008 because of software development delays. The office moved the target launch date to FY2009, with the intention of converting the current system to the newer, more functional system. The office saved the majority of FY2008 Fill the Gap funds purchase the updated system in FY2009. The remaining Fill the Gap funds were used to purchase a copier/fax machine in FY2008.

Navajo County Attorney's Office – FY2009 Fill the Gap Plan

The Navajo County Attorney's Office plans to use Fill the Gap funds to purchase a new case management system in FY2009.

Navajo County Indigent Defense

Navajo County Indigent Defense – FY2008 Fill the Gap Plan

The Navajo County Public Defender's or Legal Defender's Offices did not submit a plan for FY2008.

Navajo Indigent Defense Office – FY2008 Fill the Gap Activity

The Navajo County Public Defender's and the Legal Defender's Offices used Fill the Gap funds allotted for indigent defense in Navajo County in FY2008.

The Navajo County Public Defender's Office used Fill the Gap funds to update workstations for support staff in FY2008. The office also used funds to subscribe to online legal resources.

The Navajo County Legal Defender's Office used Fill the Gap funds to pay investigative fees and hire a part-time intern. The intern's responsibilities included organizing closed case files. The office also used Fill the Gap funds to establish a satellite office in Show Low. The Legal Defender's Office set up this remote office to serve indigent clients who cannot afford to travel to Holbrook where the main office is located.

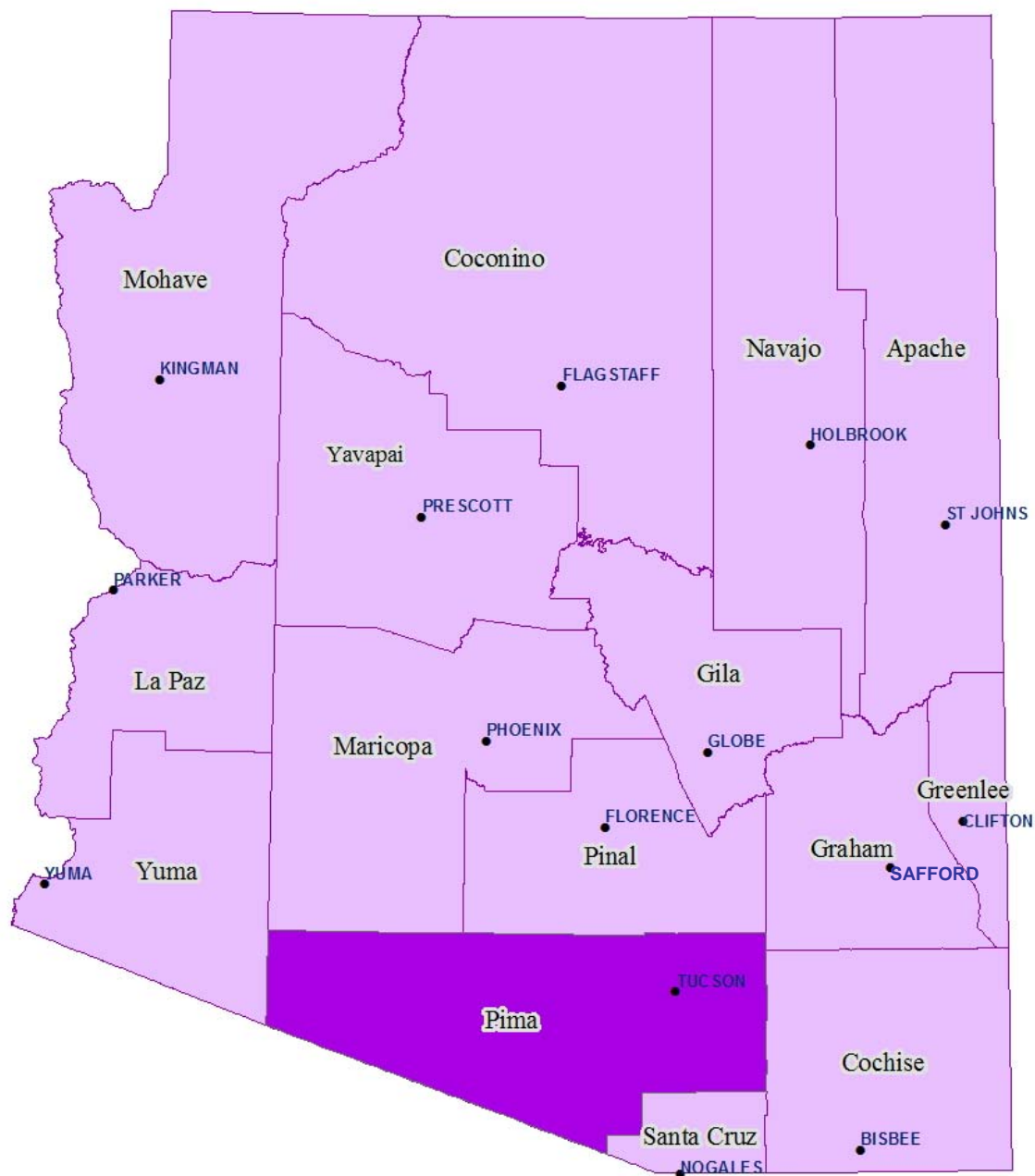
Navajo County Indigent Defense – FY2009 Fill the Gap Plan

The Navajo County Public Defender's Office plans to purchase a new case management system in FY2009 using Fill the Gap funds and hire a part-time clerk to assist support staff. The Navajo County Legal Defender's Office plans to partially fund two investigator positions and one secretary position using Fill the Gap funds. Replacement computers also will be purchased as needed.

Felony Case Processing Statistics Navajo County FY2006-FY2008			
Navajo County Attorney's Office			
Types of cases excluded from statistics: Appeals, Warrants, Violations			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	92%	66%	88%
Percent of Felony Cases Adjudicated within 180 Days of Filing	98%	73%	92%
Total Felony Cases Filed	607	1,006	1,798
Total Felony Cases Terminated	5,615	3,517	3,981
Navajo County Public Defender's Office			
Types of cases excluded from statistics: Probation Violations, Misdemeanors, Appeals, Rule 32 Petitions, Juvenile Cases, Mental Health Cases, Drug Court Cases, Mental Health Court Cases, Extraditions			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	Not provided.	Not provided.	33%
Percent of Felony Cases Adjudicated within 180 Days of Filing	Not provided.	Not provided.	50%
Total Felony Cases Filed	Not provided.	Not provided.	522
Total Felony Cases Terminated	Not provided.	Not provided.	561
Navajo County Legal Defender's Office			
Types of cases excluded from statistics: None			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	75%	77%	71%
Percent of Felony Cases Adjudicated within 180 Days of Filing	88%	90%	88%
Total Felony Cases Filed	468	661	494
Total Felony Cases Terminated	407	632	488
Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Navajo County FY2006-2008			
Cases included in analysis: All felony arrests (except for first-degree homicides) resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges during the fiscal year.			
	FY2006	FY2007	FY2008*
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	301	339	310
Percent of Arrest Counts Resulting in Felony Case Adjudication within 180 Days	51%	38%	38%

* FY2008 data is for dispositions finalized between June 1, 2007 and April 30, 2008.

Pima County



2007 U.S. Census Population Estimate:	967,089
Estimated Population Growth 2000-2007:	+14.6%
Percent of Arizona Population:	15.3%
County Seat:	Tucson

Pima County Fill the Gap Funding FY2007 – FY2008			
	FY2007	FY2008	Difference
Pima County Attorney's Office	\$110,401	\$133,092	20.6%
Pima County Public Defender's Office	\$104,827	\$126,352	20.5%

Pima County Funding Breakdown FY2008			
	FY2008 General Fund	FY2008 Fine Revenue	FY2008 Total Allocated
Pima County Attorney's Office	\$0	\$133,092	\$133,092
Pima County Public Defender's Office	\$0	\$126,352	\$126,352

Pima County Fill the Gap Funding FY2000 – FY2008									
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008
Pima County Attorney's Office	\$101,011	\$180,040	\$188,127	\$99,271	\$99,376	\$90,432	\$106,073	\$110,401	\$133,092
Pima County Public Defender's Office	\$95,946	\$171,010	\$178,677	\$94,256	\$94,355	\$85,862	\$100,718	\$104,827	\$126,352

Pima County Attorney's Office

Pima County Attorney's Office – FY2008 Fill the Gap Plan

The Pima County Attorney's Office planned to use Fill the Gap to hire legal support staff and prosecutors to work on early identification of cases that were appropriate for non-trial disposition. The office anticipated that Fill the Gap would fund three paralegal positions, one legal secretary, one legal processing support, and two prosecutor positions.

Pima County Attorney's Office – FY2008 Fill the Gap Activity

The Pima County Attorney's Office used the majority of Fill the Gap funds on personnel costs for legal support and prosecutor positions. The legal support staff members' responsibilities included identifying appropriate cases for non-trial disposition and generating the associated paperwork for plea agreements under the supervision of prosecutors. Legal support staff members also supported prosecutors on cases that went to trial. The Pima County Attorney's Office reported that the office continued to have high prosecutor caseloads in FY2008 and that Fill the Gap funds are needed in order to address caseloads that continue to increase.

Pima County Attorney's Office – FY2009 Fill the Gap Plan

The Pima County Attorney's Office plans to use Fill the Gap funds to fund staff positions for three paralegals, one legal secretary, one legal processing support, and two prosecutors. If Fill the Gap funds exceed the expenditures for these positions, the Pima County Attorney's Office plans to purchase computer equipment, software, and program updates.

Pima County Public Defender's Office

Pima County Indigent Defense – FY2008 Fill the Gap Plan

The Pima County Public Defender's Office did not submit a plan for FY2008.

Pima Indigent Defense Office – FY2008 Fill the Gap Activity

The Pima County Public Defender's Office purchased and installed two encoded video link-ups in the Pima County Jail using Fill the Gap funds. These link-ups work in conjunction with video units located within the jail to allow public defenders to meet with defendants via a secure video link, reducing the need to travel to the jail to meet with defendants. The office anticipates that this will save time and money previously used on travel to the jail. Blackberry devices also were purchased for some attorneys to use during downtime to work on cases.

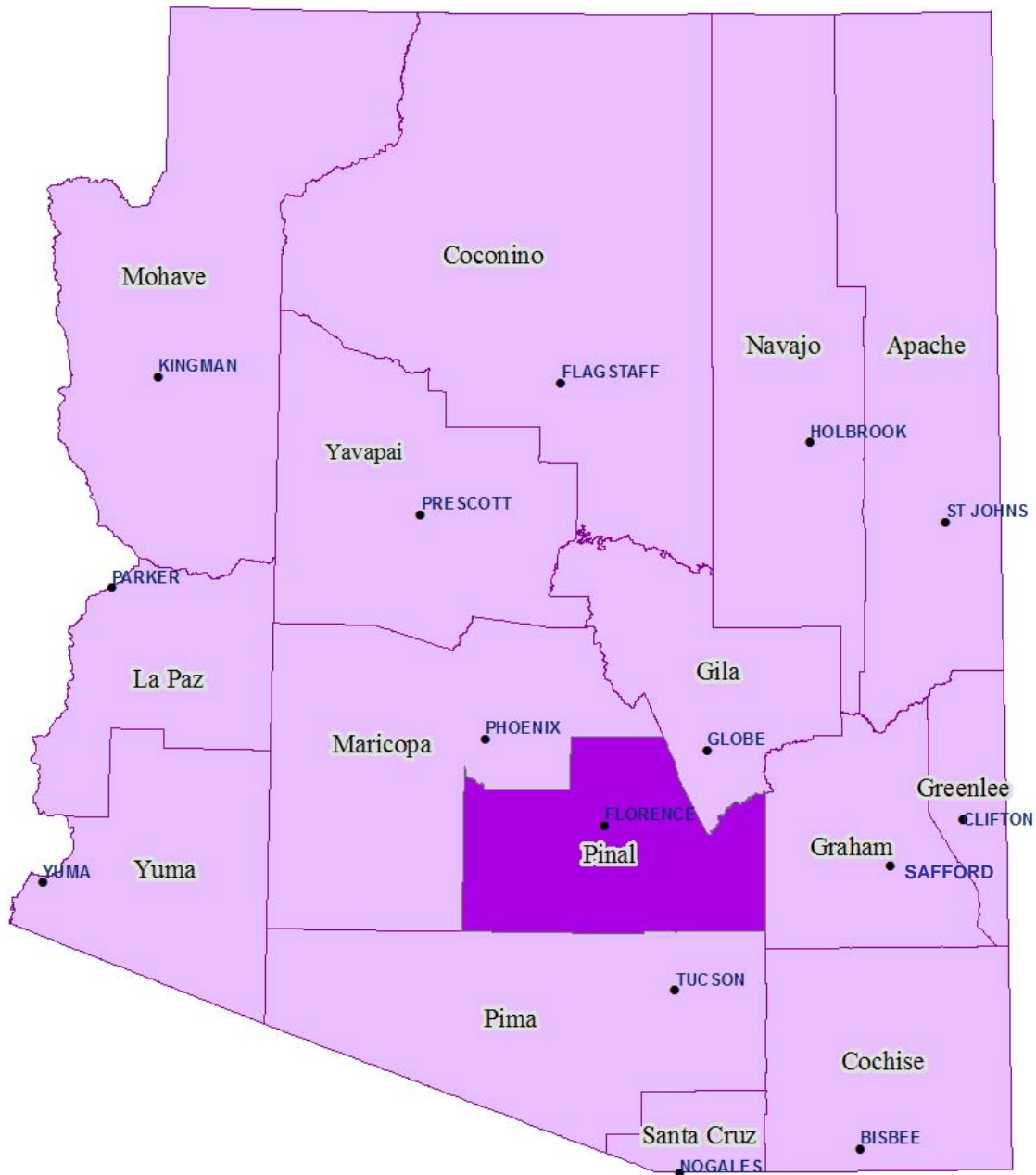
Pima County Indigent Defense – FY2009 Fill the Gap Plan

The Pima County Public Defender's Office plans to use Fill the Gap to purchase a new case management system. The office will also purchase Blackberry devices for some attorneys.

Felony Case Processing Statistics Pima County FY2006-FY2008			
Pima County Attorney's Office			
Types of cases excluded from statistics: Rule 8 and 11 (some cases)			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	43%	43%	42%
Percent of Felony Cases Adjudicated within 180 Days of Filing	75%	75%	75%
Total Felony Cases Filed	5,547	5,595	5,765
Total Felony Cases Terminated	5,653	5,491	5,588
Pima County Public Defender's Office			
Types of cases excluded from statistics: Statistics Provided to the Pima County Public Defender's Office by the Pima County Superior Court			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	43%	43%	42%
Percent of Felony Cases Adjudicated within 180 Days of Filing	75%	75%	76%
Total Felony Cases Filed	5,540	5,318	5,634
Total Felony Cases Terminated	5,653	5,491	5,588
Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Pima County FY2006-2008			
Cases included in analysis: All felony arrests (except for first-degree homicides) resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges during the fiscal year.			
	FY2006	FY2007	FY2008*
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	269	266	280
Percent of Arrest Counts Resulting in Felony Case Adjudication within 180 Days	51%	48%	48%

* FY2008 data is for dispositions finalized between June 1, 2007 and April 30, 2008.

Pinal County



2007 U.S. Census Population Estimate:	299,246
Estimated Population Growth 2000-2007:	+66.5%
Percent of Arizona Population:	4.7%
County Seat:	Florence

Pinal County Fill the Gap Funding FY2007 – FY2008			
	FY2007	FY2008	Difference
Pinal County Attorney's Office	\$57,175	\$69,562	21.7%
Pinal County Public Defender's Office	\$54,346	\$66,105	21.6%

Pinal County Funding Breakdown FY2008			
	FY2008 General Fund	FY2008 Fine Revenue	FY2008 Total Allocated
Pinal County Attorney's Office	\$26,830	\$42,732	\$69,562
Pinal County Public Defender's Office	\$25,537	\$40,568	\$66,105

Pinal County Fill the Gap Funding FY2000 – FY2008									
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008
Pinal County Attorney's Office	\$24,527	\$43,256	\$44,647	\$44,679	\$44,744	\$46,850	\$51,926	\$57,175	\$69,562
Pinal County Public Defender's Office	\$23,297	\$41,087	\$42,404	\$42,431	\$42,535	\$44,537	\$49,357	\$54,346	\$66,105

Pinal County Attorney's Office

Pinal County Attorney's Office – FY2008 Fill the Gap Plan

The Pinal County Attorney's Office planned to use Fill the Gap funds to purchase an electronic white board for training purposes, recording devices for use in conducting interviews, hand-held computer devices for attorneys, and software programs for staff. The office also planned to review case processing procedures to identify potential ways to improve the disposition of court cases involving felonies, disclosure to defense counsel, discovery and background investigation and the Minute Entry Electronic Distribution System. In addition, the office planned to use funds to hire staff to use the case management software.

Pinal County Attorney's Office – FY2008 Fill the Gap Activity

The Pinal County Attorney's Office used Fill the Gap to continue to fund a legal secretary position. This staff member supports other secretarial staff members with assigned tasks. The office also used Fill the Gap funds to purchase digital voice recorders and a digital camera.

Pinal County Attorney's Office – FY2009 Fill the Gap Plan

The Pinal County Attorney's Office plans to use Fill the Gap funds to purchase equipment for records management and legal document generation. Fill the Gap funds also will assist in the purchase of an additional module for the current criminal case management system as well as to transition files from the case management system used by the Family Advocacy Center into the Pinal County Attorney's Office case

management system. The office will also use Fill the Gap for training costs and personnel.

Pinal County Indigent Defense

Pinal County Indigent Defense – FY2008 Fill the Gap Plan

The Pinal County Public Defender's Office did not submit a plan for FY2008.

Pinal Indigent Defense Office – FY2008 Fill the Gap Activity

The Pinal County Public Defender's Office used Fill the Gap funds to hire an attorney and purchase a new case management program.

Pinal County Indigent Defense – FY2009 Fill the Gap Plan

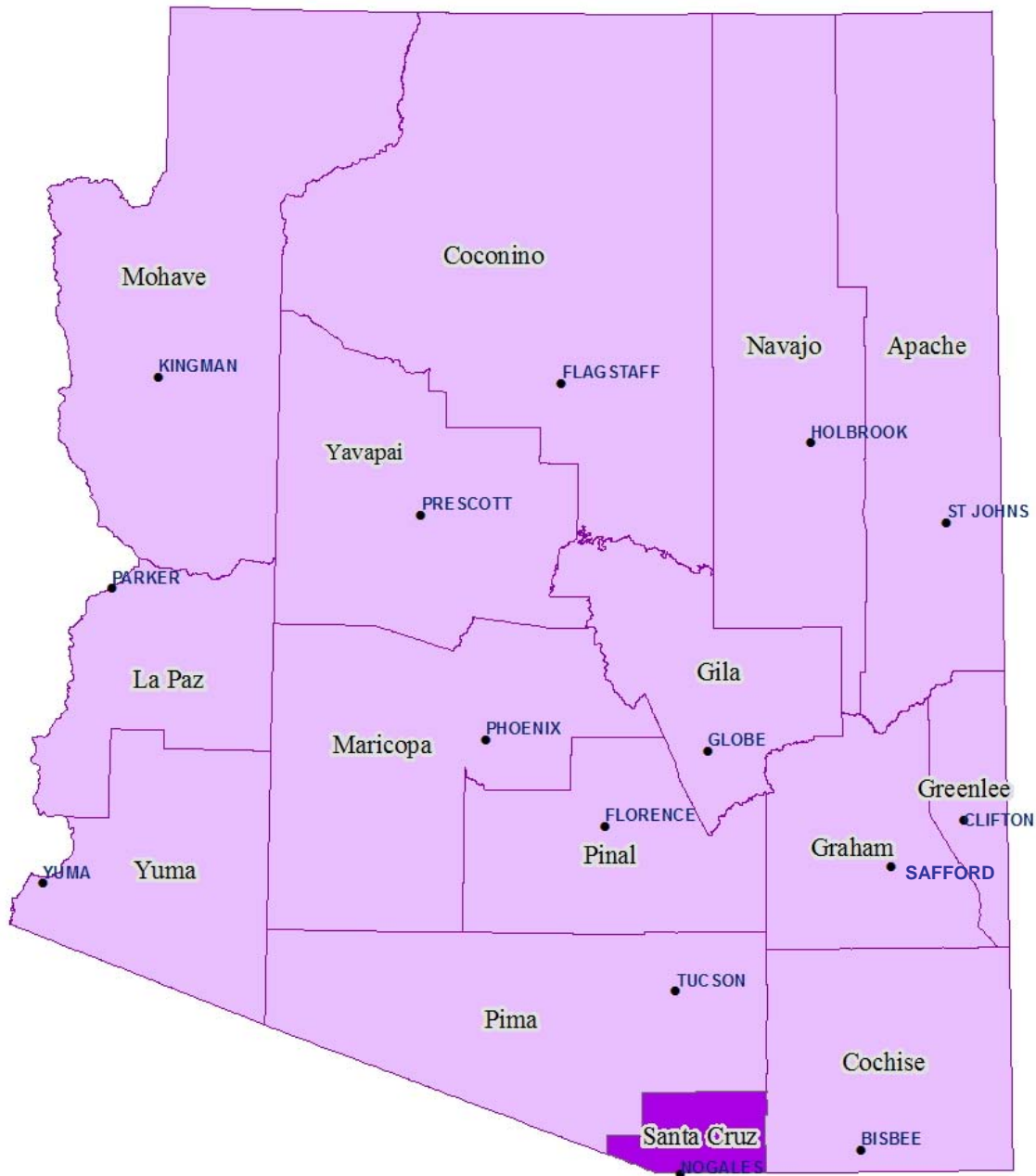
The Pinal County Public Defender's Office did not submit a plan for FY2009.

Felony Case Processing Statistics Pinal County FY2006-FY2008			
Pinal County Attorney's Office			
Types of cases excluded from statistics: Misdemeanor Cases			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	16%	17%	20%
Percent of Felony Cases Adjudicated within 100 Days of Filing	43%	53%	55%
Total Felony Cases Filed	1,895	1,965	2,272
Total Felony Cases Terminated	2,168	1,694	1,645
Pinal County Public Defender's Office*			
Types of cases excluded from statistics: Appeals, Diversion, Mental Health, Juvenile, Probation Violations, Extraditions			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	Not Provided	Not Provided	40.26%
Percent of Felony Cases Adjudicated within 180 Days of Filing	Not Provided	Not Provided	58.08%
Total Felony Cases Filed	Not Provided	3,230	2,316
Total Felony Cases Terminated	Not Provided	2,992	1,925
Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Pinal County FY2006-2008			
Cases included in analysis: All felony arrests (except for first-degree homicides) resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges during the fiscal year.			
	FY2006	FY2007	FY2008**
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	283	258	295
Percent of Arrest Counts Resulting in Felony Case Adjudication within 180 Days	46%	47%	42%

* The Pinal County Public Defender's Office reported that case processing data was not reliable prior to FY2008. A new case management system purchased in FY2008 remedied this problem.

** FY2008 data is for dispositions finalized between June 1, 2007 and April 30, 2008.

Santa Cruz County



2007 U.S. Census Population Estimate:	42,845
Estimated Population Growth 2000-2007:	+11.6%
Percent of Arizona Population:	0.7%
County Seat:	Nogales

Santa Cruz County Fill the Gap Funding FY2007 – FY2008			
	FY2007	FY2008	Difference
Santa Cruz County Attorney's Office	\$9,801	\$10,722	9.4%
Santa Cruz County Superior Court	\$9,317	\$10,189	9.4%

Santa Cruz County Funding Breakdown FY2008			
	FY2008 General Fund	FY2008 Fine Revenue	FY2008 Total Allocated
Santa Cruz County Attorney's Office	\$4,137	\$6,585	\$10,722
Santa Cruz County Superior Court	\$3,937	\$6,252	\$10,189

Santa Cruz County Fill the Gap Funding FY2000 – FY2008									
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008
Santa Cruz County Attorney's Office	\$5,203	\$8,741	\$8,483	\$8,799	\$8,705	\$8,885	\$9,438	\$9,801	\$10,722
Santa Cruz County Superior Court	\$4,942	\$8,302	\$8,057	\$8,356	\$8,274	\$8,447	\$8,971	\$9,317	\$10,189

Santa Cruz County Attorney's Office

Santa Cruz County Attorney's Office – FY2008 Fill the Gap Plan

The Santa Cruz County Attorney's Office planned to use Fill the Gap funds to purchase auxiliary equipment needed to set up a new computer system, as well as to pay for training on the new software for attorneys and staff. The office also planned to use funds to hire temporary legal assistants to assist with case processing and to hire temporary assistants to assist with the office's conversion to a paperless, computerized filing system.

Santa Cruz County Attorney's Office – FY2008 Fill the Gap Activity

The Santa Cruz County Attorney's Office used Fill the Gap funds to hire temporary legal assistants to assist with case processing. These temporary staff members provided support for permanent staff.

Santa Cruz County Attorney's Office – FY2009 Fill the Gap Plan

The Santa Cruz County Attorney's Office is working to purchase a new computer software system that will improve the office's ability to track cases. This purchase was planned for FY2008; however, sufficient funds were not available at that time. The office plans to use Fill the Gap funds to purchase any auxiliary equipment needed to set up the new software, as well as to provide training on the new software for attorneys and support staff.

In additions, the office will use Fill the Gap to hire temporary legal assistants to assist with filing minute entries, inputting information into the database, and other tasks, freeing up permanent staff for other tasks.

An attempt to implement a paperless, computerized filing system in FY2008 was not successful. The Santa Cruz County Attorney's Office intends to continue this effort in FY2009 by hiring and training additional temporary assistants on the conversion process.

Santa Cruz County Superior Court

Santa Cruz County Indigent Defense – FY2008 Fill the Gap Plan

The Santa Cruz County Superior Court planned to create a pre-trial services position on an experimental basis beginning January 2008 to verify financial information for defendants prior to appointment of indigent defense counsel because indigent defense costs were exceeding the amount budgeted. Prior to July 2008, the office plans to review the benefits of this position to determine whether the position reduced indigent defense costs. If the position meets its objectives, the court plans to seek continued funding from Santa Cruz County.

Santa Cruz Indigent Defense Office – FY2008 Fill the Gap Activity

The Santa Cruz County Superior Court did not spend any Fill the Gap funds in FY2008. The court reports that while the FY2008 Fill the Gap plan called for funding a pre-trial services program and funding indigent defense representation, budgetary problems precluded initiating any new programs.

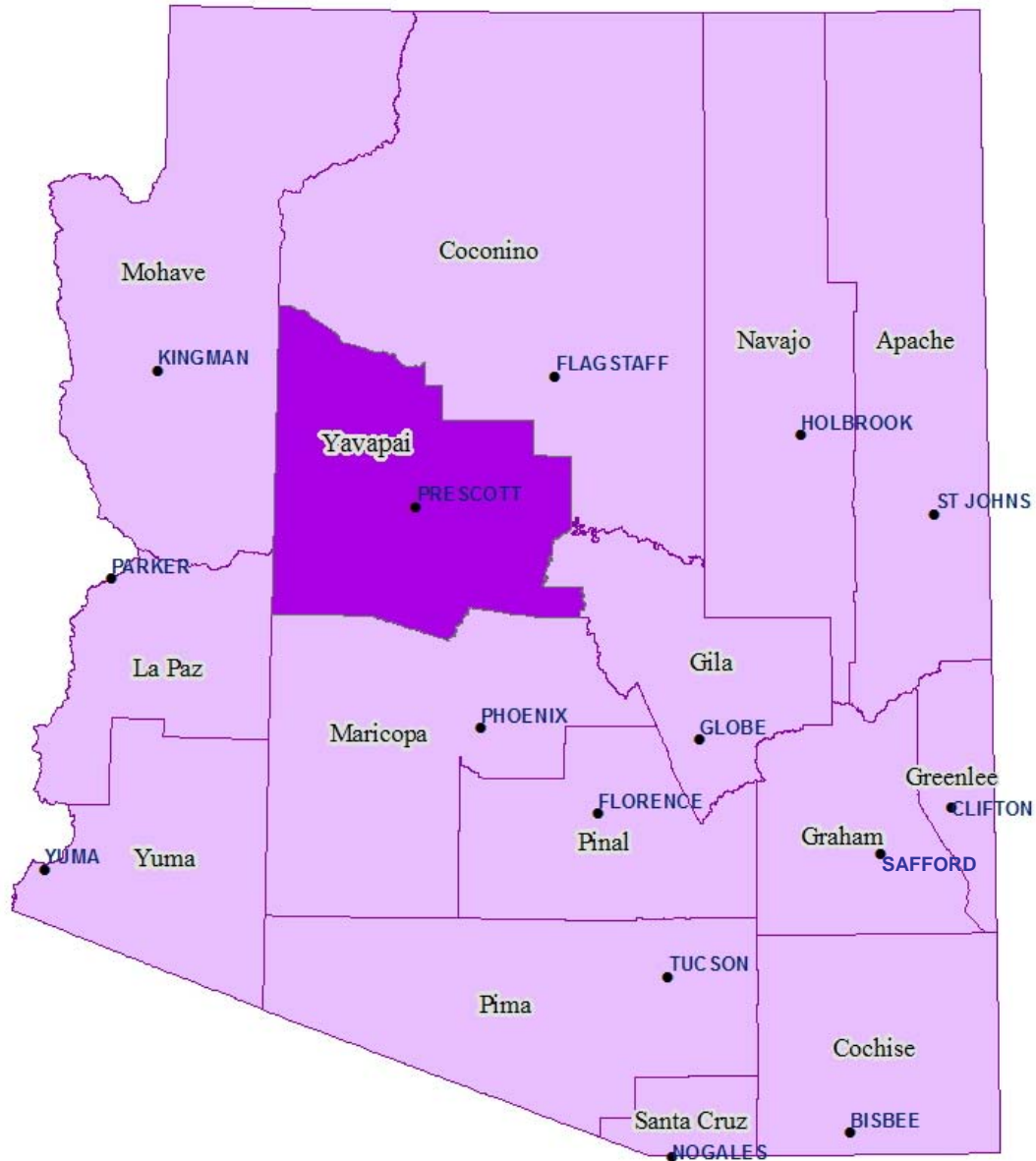
Santa Cruz County Indigent Defense – FY2009 Fill the Gap Plan

The Santa Cruz County Superior Court plans to use Fill the Gap to supplement the indigent representation budget.

Felony Case Processing Statistics Santa Cruz County FY2006-FY2008			
Santa Cruz County Attorney's Office			
Types of cases excluded from statistics: None			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	The Santa Cruz County Attorney's Office reported that they are unable to produce case tracking statistics using their case management system and have been unable to secure funding for new software that is capable of producing this information.		
Percent of Felony Cases Adjudicated within 180 Days of Filing			
Total Felony Cases Filed			
Total Felony Cases Terminated			
Santa Cruz County Superior Court			
Types of cases excluded from statistics: None			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	51.2%	38.1%	38.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	79.6%	73.3%	69.6%
Total Felony Cases Filed	354	339	297
Total Felony Cases Terminated	324	341	303
Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Santa Cruz County FY2006-2008			
Cases included in analysis: All felony arrests (except for first-degree homicides) resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges during the fiscal year.			
	FY2006	FY2007	FY2008*
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	211	468	232
Percent of Arrest Counts Resulting in Felony Case Adjudication within 180 Days	55%	20%	51%

* FY2008 data is for dispositions finalized between June 1, 2007 and April 30, 2008.

Yavapai County



2007 U.S. Census Population Estimate:	212,635
Estimated Population Growth 2000-2007:	+26.9%
Percent of Arizona Population:	3.4%
County Seat:	Prescott

Yavapai County Fill the Gap Funding FY2007 – FY2008			
	FY2007	FY2008	Difference
Yavapai County Attorney's Office	\$60,766	\$68,851	13.3%
Yavapai County Public Defender's Office	\$57,759	\$65,429	13.3%

Yavapai County Funding Breakdown FY2008			
	FY2008 General Fund	FY2008 Fine Revenue	FY2008 Total Allocated
Yavapai County Attorney's Office	\$26,667	\$42,184	\$68,851
Yavapai County Public Defender's Office	\$25,382	\$40,047	\$65,429

Yavapai County Fill the Gap Funding FY2000 – FY2008									
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008
Yavapai County Attorney's Office	\$22,973	\$41,765	\$44,641	\$46,245	\$48,078	\$51,322	\$58,499	\$60,766	\$68,851
Yavapai County Public Defender's Office	\$21,820	\$39,761	\$42,398	\$43,919	\$45,705	\$48,787	\$55,605	\$57,759	\$65,429

Yavapai County Attorney's Office

Yavapai County Attorney's Office – FY2008 Fill the Gap Plan

The Early Disposition Court, created in 2004, planned to continue using Fill the Gap to fund two prosecutor positions. This court is a cooperative effort between the Superior Court, the County Attorney's Office, and the Public Defender's Office.

Yavapai County Attorney's Office – FY2008 Fill the Gap Activity

The Yavapai County Attorney's Office used Fill the Gap to partially fund two prosecutor positions assigned to the Early Disposition Court in FY2008. The Early Disposition Court is a coordinated effort between the County Attorney's Office, defense counsel and the court to expedite felony cases when appropriate.

Yavapai County Attorney's Office – FY2009 Fill the Gap Plan

The Yavapai County Attorney's Office did not submit a plan for FY2009.

Yavapai County Public Defender's Office

Yavapai County Indigent Defense – FY2008 Fill the Gap Plan

The Yavapai County Public Defender's Office planned to fund a therapeutic court attorney position, as well as add a support position assigned to this attorney. Duties of the therapeutic court attorney include covering two adult drug courts, two DUI courts, and one family drug court. Yavapai County planned to use Fill the Gap funds to support the therapeutic courts in order to reduce recidivism, thereby reducing the number of felony cases processed by the Superior Court.

Yavapai Indigent Defense Office – FY2008 Fill the Gap Activity

The Yavapai County Public Defender's Office used Fill the Gap to fund one attorney and two support staff positions. These staff members worked with the courts and the County Attorney's Office to provide representation to defendants diverted into therapeutic drug and DUI courts. The office purchased computer equipment and scanners for use by these staff members, with the purpose of allowing staff to create digital case files.

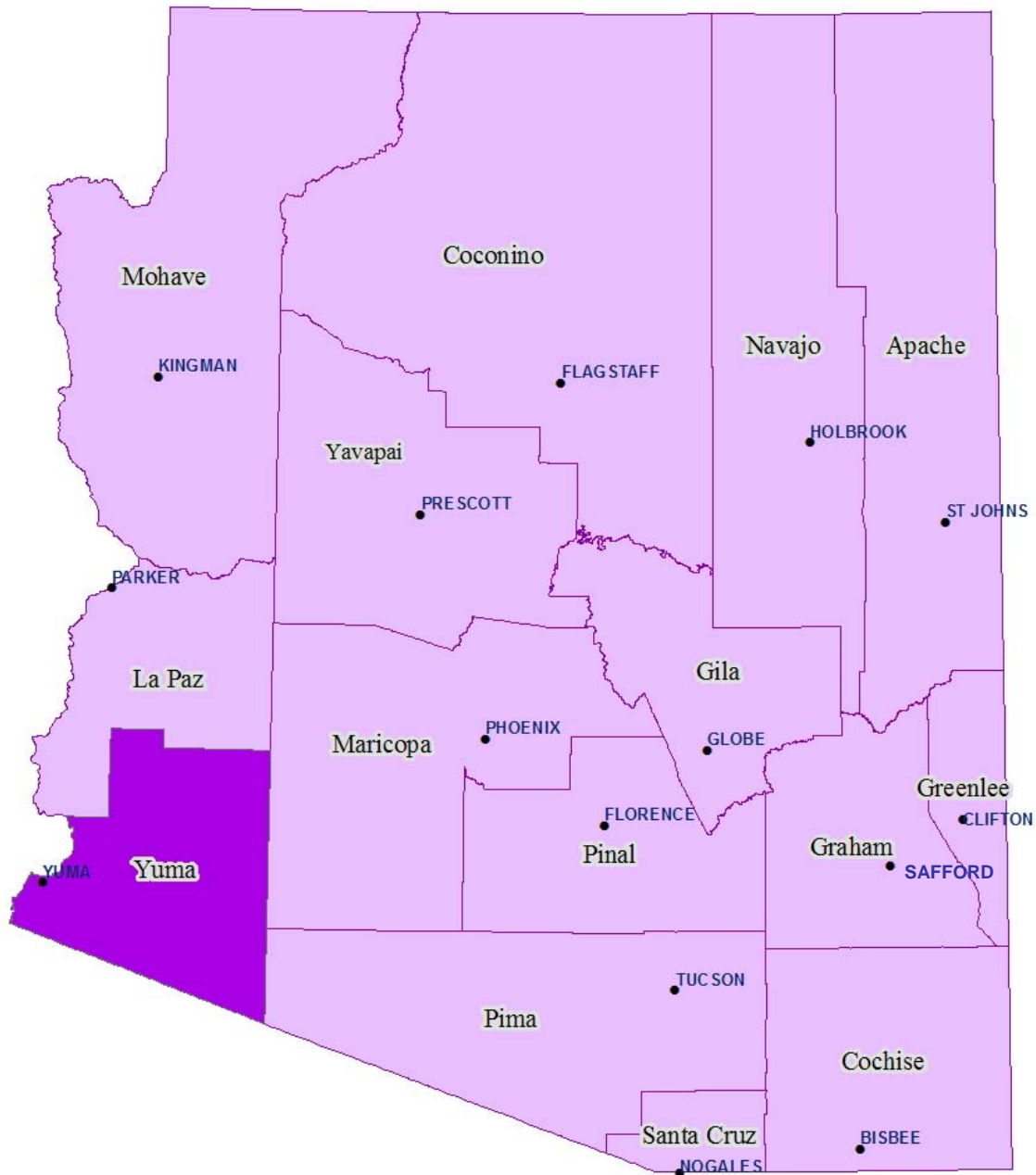
Yavapai County Indigent Defense – FY2009 Fill the Gap Plan

The Yavapai County Public Defender's Office did not submit a plan for FY2009.

Felony Case Processing Statistics Yavapai County FY2006-FY2008			
Yavapai County Attorney's Office			
Types of cases excluded from statistics: Appeals and Technical Violations			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	Not Provided	Not Provided	Not Provided
Percent of Felony Cases Adjudicated within 180 Days of Filing	Not Provided	Not Provided	Not Provided
Total Felony Cases Filed	2,894	3,162	2,914
Total Felony Cases Terminated	Not Provided	Not Provided	Not Provided
Yavapai County Public Defender's Office			
Types of cases excluded from statistics: Appeals, Warrants, and Probation Violations			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	72%	72%	68%
Percent of Felony Cases Adjudicated within 180 Days of Filing	89%	87%	85%
Total Felony Cases Filed	3,092	2,868	2,647
Total Felony Cases Terminated	2,751	2,759	2,874
Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Yavapai County FY2006-2008			
Cases included in analysis: All felony arrests (except for first-degree homicides) resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges during the fiscal year.			
	FY2006	FY2007	FY2008*
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	165	169	193
Percent of Arrest Counts Resulting in Felony Case Adjudication within 180 Days	70%	66%	62%

* FY2008 data is for dispositions finalized between June 1, 2007 and April 30, 2008.

Yuma County



2007 U.S. Census Population Estimate:	190,557
Estimated Population Growth 2000-2007:	+19.1%
Percent of Arizona Population:	3.0%
County Seat:	Yuma

Yuma County

Yuma County Fill the Gap Funding FY2007 – FY2008			
	FY2007	FY2008	Difference
Yuma County Attorney's Office	\$45,974	\$50,715	10.3%
Yuma County Public Defender's Office	\$43,699	\$48,195	10.3%

Yuma County Funding Breakdown FY2008			
	FY2008 General Fund	FY2008 Fine Revenue	FY2008 Total Allocated
Yuma County Attorney's Office	\$19,590	\$31,125	\$50,715
Yuma County Public Defender's Office	\$18,646	\$29,549	\$48,195

Yuma County Fill the Gap Funding FY2000 – FY2008									
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008
Yuma County Attorney's Office	\$24,256	\$42,493	\$43,498	\$43,766	\$42,763	\$41,230	\$45,617	\$45,974	\$50,715
Yuma County Public Defender's Office	\$23,040	\$40,362	\$41,313	\$41,564	\$40,649	\$39,191	\$43,360	\$43,699	\$48,195

Yuma County Attorney's Office

Yuma County Attorney's Office – FY2008 Fill the Gap Plan

The Yuma County Attorney's Office planned to use Fill the Gap funds to partially fund an investigator position to conduct follow-up investigations, serve subpoenas, conduct interviews, and assist in courtroom presentations and trial preparation. This investigator would support the workload involved in the preliminary hearing process to resolve most routine felony cases. The office planned to hire an additional staff position to enter law enforcement reports into the case management database if Fill the Gap funding increased in FY2008.

Yuma County Attorney's Office – FY2008 Fill the Gap Activity

The Yuma County Attorney's Office continued to fund a criminal investigator position using Fill the Gap. Responsibilities of the investigator included scheduling witness interviews, preparing for hearings, and organizing case files for the preliminary hearing process.

Yuma County Attorney's Office – FY2009 Fill the Gap Plan

The Yuma County Attorney's Office plan to use Fill the Gap funds to support the preliminary hearing process conducted in coordination with the Superior Court to resolve routine felony cases. More complex cases will then be presented to the grand jury which meets twice a week. The office plans to partially fund the salary for an investigator using Fill the Gap funds.

Yuma County Public Defender's Office

Yuma County Indigent Defense – FY2008 Fill the Gap Plan

Dependent on sufficient funding, the Yuma County Public Defender's Office planned to use Fill the Gap funds to hire additional personnel including an attorney and a secretary and/or paralegal, and purchase a case processing system to facilitate and improve the processing of criminal cases. Other planned uses of funds included the purchase of software, hardware, communication equipment, and other resources to enhance case processing.

Yuma Indigent Defense Office – FY2008 Fill the Gap Activity

The Yuma County Public Defender's Office used Fill the Gap funds to partially fund salaries for a capital attorney, a supervising attorney, and a legal secretary. The office also used Fill the Gap to purchase a network server to house the new case management system implemented in FY2007.

Yuma County Indigent Defense – FY2009 Fill the Gap Plan

The Yuma County Public Defender's Office will use of Fill the Gap funds based on the amount allotted. The office plans to hire a secretary and/or paralegal staff, as well as purchase a new case processing system. If sufficient funds are available, the office will purchase computer software and hardware, communications equipment, and other resources to enhance case processing and case flow management.

Felony Case Processing Statistics Yuma County FY2006-FY2008			
Yuma County Attorney's Office			
Types of cases excluded from statistics: Appeals, Warrants, Misdemeanors, Juvenile Cases, Extraditions, Violations of Probation			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	34%	50%	39%
Percent of Felony Cases Adjudicated within 180 Days of Filing	60%	80%	76%
Total Felony Cases Filed	1,821	1,827	1,815
Total Felony Cases Terminated	1,006	964	951
Yuma County Public Defender's Office			
Types of cases excluded from statistics:			
	FY2006	FY2007	FY2008
Percent of Felony Cases Adjudicated within 100 Days of Filing	36%	59%	51%
Percent of Felony Cases Adjudicated within 180 Days of Filing	53%	87%	72%
Total Felony Cases Filed	630	500	693
Total Felony Cases Terminated	609	453	574
Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Yuma County FY2006-2008			
Cases included in analysis: All felony arrests (except for first-degree homicides) resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges during the fiscal year.			
	FY2006	FY2007	FY2008*
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	161	174	216
Percent of Arrest Counts Resulting in Felony Case Adjudication within 180 Days	71%	66%	62%

* FY2008 data is for dispositions finalized between June 1, 2007 and April 30, 2008.

CONCLUSION AND RECOMMENDATIONS

Average case processing times in Arizona's counties have not yet met the standard established by the Arizona Supreme Court. Agencies indicate a variety of issues affecting case processing including increased caseloads, a lack of qualified attorneys in rural areas, funding limitations caused by current budgetary constraints, and large turnover among staff. Additionally, Arizona's population growth and dramatic increase in felony case filings has an impact on case processing times that cannot be overstated. Since 2000, Arizona's population has increased by 23.5 percent and the number of felony filings by 43.1 percent. Clearly, the system is struggling to keep pace with the increased demand on local criminal justice agencies. Agencies continue to report that case processing times would be longer without Fill the Gap funding.

Recommendations

To move forward with improving case processing times and documenting progress made, several recommendations are suggested:

- Fill the Gap expenditure guidelines should be developed to focus funding on expenditures directly related to improving case processing times. The current legislative mandates are vague, leading to a wide variation in Fill the Gap expenditures by local agencies.
- The overall funding should be increased and remain consistent. Local agencies should be required to develop strategic plans for how the Fill the Gap funds will be used to effectively improve case processing times. These plans should include coordinated efforts with other Fill the Gap funds to develop long term strategic plans rather than using funds to fill immediate needs of each agency. These strategic plans will allow the opportunity to accurately assess agency efforts on reducing case processing times.
- Each county should have the capacity to report consistent and comparable case processing statistics. If this information is not readily available from the courts, case management system capabilities need to be implemented at the agency level so that case processing statistics can be easily provided.
- Counties that have not reported progress in improving case processing times should look at some of the successes from other counties, such as Early Disposition Courts and DUI/Drug Courts.

Appendix A: Arizona Fill the Gap Funding

In FY2008, County Attorney's Office's received a total of \$157,700 from General Fund Appropriations, and \$1,052,500 from fine surcharges, for a total of \$1,210,200.

County Attorney Fill the Gap Funding FY2008			
	General Fund Appropriations	Fine Revenue	Total Fill the Gap Revenues
Apache County Attorney's Office	5,957.00	9,514.00	15,471.00
Cochise County Attorney's Office	11,877.00	18,925.00	30,802.00
Coconino County Attorney's Office	14,388.00	22,819.00	37,207.00
Gila County Attorney's Office	7,095.00	11,224.00	18,319.00
Graham County Attorney's Office	4,131.00	6,546.00	10,677.00
Greenlee County Attorney's Office	903.00	1,431.00	2,334.00
La Paz County Attorney's Office	3,945.00	6,205.00	10,150.00
Maricopa County Attorney's Office	0.00	669,028.00	669,028.00
Mohave County Attorney's Office	19,980.00	31,737.00	51,717.00
Navajo County Attorney's Office	12,200.00	19,353.00	31,553.00
Pima County Attorney's Office	0.00	133,092.00	133,092.00
Pinal County Attorney's Office	26,830.00	42,732.00	69,562.00
Santa Cruz County Attorney's Office	4,137.00	6,585.00	10,722.00
Yavapai County Attorney's Office	26,667.00	42,184.00	68,851.00
Yuma County Attorney's Office	19,590.00	31,125.00	50,715.00
County Attorney Total	\$157,700.00	\$1,052,500.00	\$1,210,200.00

In FY2008, Indigent Defense received a total of \$150,100 from General Fund Appropriations, and \$999,200 from fine surcharges, for a total of \$1,149,300.

Indigent Defense Fill the Gap Funding FY2008			
	General Fund Appropriations	Fine Revenue	Total Fill the Gap Revenues
Apache County Indigent Defense	5,670.00	9,033.00	14,703.00
Cochise County Indigent Defense	11,304.00	17,966.00	29,270.00
Coconino County Indigent Defense	13,695.00	21,663.00	35,358.00
Gila County Indigent Defense	6,754.00	10,655.00	17,409.00
Graham County Indigent Defense	3,932.00	6,215.00	10,147.00
Greenlee County Indigent Defense	859.00	1,359.00	2,218.00
La Paz County Indigent Defense	3,755.00	5,891.00	9,646.00
Maricopa County Indigent Defense	0.00	635,147.00	635,147.00
Mohave County Indigent Defense	19,017.00	30,130.00	49,147.00
Navajo County Indigent Defense	11,612.00	18,373.00	29,985.00
Pima County Indigent Defense	0.00	126,352.00	126,352.00
Pinal County Indigent Defense	25,537.00	40,568.00	66,105.00
Santa Cruz County Indigent Defense	3,937.00	6,252.00	10,189.00
Yavapai County Indigent Defense	25,382.00	40,047.00	65,429.00
Yuma County Indigent Defense	18,646.00	29,549.00	48,195.00
Indigent Defense Total	\$150,100.00	\$999,200.00	\$1,149,300.00

Appendix B: Summary of the Use of Fill the Gap Funds in FY2008

Case Management Systems

- Purchase of new case management systems
- Funding ongoing maintenance contracts to maintain case management systems
- Transferring data from old systems to new systems, including cleaning old files
- Training for office personnel to use case management systems
- Hiring staff or contract personnel to run case management systems
- Consultant hired to evaluate case management systems to recommend best system

Staff and Contracted Employees

- Contract with attorneys to provide defense services
- Temporary staff hired to enter data into case management system, scan documents and other tasks
- Attorneys and support staff hired to reduce case loads or support specialty courts
- Funded training for staff

Special Courts

- Funded treatment costs for DUI/Drug Court participants
- Hire staff to work at Early Disposition Courts
- Use preliminary hearings to reduce court appearances

Technology

- Purchased laptops and computers for staff, especially new staff
- Purchased recorders to record interviews
- Purchased back-up tape and power supply
- Court calendar automation program developed to provide attorneys, defendants and witnesses with up to date information online
- Added scanning capabilities to allow documents to be retrieved electronically
- Purchased a server to house the case management system

Coordination Efforts

- Meetings between courts, county attorney and defense on ways to reduce case processing time
- One county attorney's office reported setting up interviews for the defense
- Developed case management systems that could be used by multiple indigent defense agencies in the county

Review of Policies

- Hired an outside entity to review office policies to find ways to improve retention
- Internal review conducted to identify changes needed to reduce case processing time
- Increased participation in DUI/Drug Courts after a review showed that this was beneficial

CASE PROCESSING EFFORTS

Agencies reported several common themes in efforts to reduce case processing times.

- Overall, the quality of case processing statistics provided by agencies in their annual reports improved over previous years because of new case management systems and updated systems.
 - A couple of agencies reported that efforts to purchase new case management systems have been stalled because of budgetary constraints.
- Several counties are utilizing specialty courts such as DUI/Drug Courts and Early Disposition courts in order to reduce case processing time.
 - While agencies reported that therapeutic courts were helpful in decreasing case processing time, some agencies were unable to include cases resolved using these cases because their case management systems calculated the adjudication date as the date that defendants were dismissed from the therapeutic court rather than the date that defendants entered into the agreement to resolve their case through the therapeutic court.
- Several agencies reported hiring new staff to decrease caseloads and process cases faster.
- One-time expenditures are used to purchase supplies needed for new county funded positions.

Appendix C: Arizona Revised Statutes Authorizing Fill the Gap Funding

11-539. State aid to county attorneys fund

- A. The state aid to county attorneys fund is established consisting of monies appropriated to the fund and monies allocated pursuant to section 41-2421, subsections B and J. The purpose of the fund is to provide state aid to county attorneys for the processing of criminal cases.
- B. The Arizona criminal justice commission shall administer the fund. The commission shall allocate fund monies to each county pursuant to section 41-2409, subsection A.
- C. All monies distributed or spent from the fund shall be used to supplement, not supplant, funding at the level provided in fiscal year 1997-1998 by the counties for the processing of criminal cases by county attorneys.
- D. Monies in the state aid to county attorneys fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations and monies allocated pursuant to section 41-2421, subsections B and J are subject to legislative appropriation. Any state general fund monies appropriated to the fund may be spent without further legislative appropriation.
- E. On notice from the commission, the state treasurer shall invest and divest monies in the fund as provided by section 35-313, and monies earned from investment shall be credited to the fund.

11-588. State aid to indigent defense fund

- A. The state aid to indigent defense fund is established consisting of monies appropriated to the fund and monies allocated to the fund pursuant to section 41-2421, subsections B and J. The purpose of the fund is to provide state aid to the county public defender, legal defender and contract indigent defense counsel for the processing of criminal cases.
- B. The Arizona criminal justice commission shall administer the fund. The commission shall allocate monies in the fund to each county pursuant to section 41-2409, subsection C.
- C. All monies distributed or spent from the fund shall be used to supplement, not supplant, funding at the level provided in fiscal year 1997-1998 by counties for the processing of criminal cases by the county public defender, legal defender and contract indigent defense counsel in each county.
- D. Monies in the state aid to indigent defense fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations and monies allocated pursuant to section 41-2421, subsections B and J are subject to legislative appropriation. Any state general fund monies appropriated to the fund may be spent without further legislative appropriation.
- E. On notice from the commission, the state treasurer shall invest and divest monies in the fund as provided by section 35-313, and monies earned from investment shall be credited to the fund.

12-102.01. Criminal case processing and enforcement improvement fund

- A. The criminal case processing and enforcement improvement fund is established consisting of monies appropriated to the fund. The purpose of the fund is to improve the processing of criminal cases in the superior court and the justice courts and the enforcement of court orders, including the collection of court ordered fees, fines, penalties, assessments, sanctions and forfeitures.
- B. The supreme court shall administer the fund. The supreme court shall allocate monies in the fund to counties for the planning and implementation of collaborative projects that are designed to improve the processing of criminal cases and the enforcement of court orders, including the collection of court ordered fees, fines, penalties, assessments, sanctions and forfeitures. At a minimum, each project shall involve the county attorney, county public

defender, county legal defender, county contract indigent defense counsel, superior court, clerk of the superior court, county manager and justice courts in the county. Additional criminal justice entities may also be included in the project.

- C. To be eligible for funding, pursuant to this section, a county shall submit to the supreme court a plan that demonstrates how the county attorney, county public defender, county legal defender, county contract indigent defense counsel, superior court including the clerk of the superior court, justice courts and other identified criminal justice entities will work together collaboratively to both:
 - 1. Identify current problems with criminal case processing and the enforcement of court orders, including the collection of court ordered fees, fines, penalties, assessments, sanctions and forfeitures.
 - 2. Identify possible solutions and efficiencies to improve the case processing time and the enforcement of court orders, including the collection of court ordered fees, fines, penalties, assessments, sanctions and forfeitures.
- D. By January 8 of each year, the supreme court shall report to the governor, the legislature, each county board of supervisors, the joint legislative budget committee and the Arizona criminal justice commission on the progress of the criminal case processing projects and the enforcement of court orders, including the collection of court ordered fees, fines, penalties, assessments, sanctions and forfeitures. The county attorney, indigent defense counsel and county board of supervisors in each county and the attorney general shall assist the supreme court in preparing the report by providing information relevant to the report. This information may be combined into one report with the information required pursuant to section 12-102.02, subsection D.
- E. All monies distributed or spent from the fund shall be used to supplement, not supplant, funding at the level provided in fiscal year 1997-1998 by the counties and the state to improve the processing of criminal cases and the enforcement of court orders, including the collection of court ordered fees, fines, penalties, assessments, sanctions and forfeitures.
- F. Monies in the fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations and are subject to legislative appropriation.
- G. On notice from the supreme court, the state treasurer shall invest and divest monies in the fund as provided by section 35-313, and monies earned from investment shall be credited to the fund.

12-102.02. State aid to the courts fund

- A. The state aid to the courts fund is established consisting of monies appropriated to the fund and monies allocated pursuant to section 41-2421, subsections B and J. The purpose of the fund is to provide state aid to the superior court, including the clerk of the superior court, and justice courts for the processing of criminal cases.
- B. The supreme court shall administer the fund. The supreme court shall allocate monies in the fund to the superior court, including the clerk of the court, and the justice courts in each county according to the following composite index formula:
 - 1. The three year average of the total felony filings in the superior court in the county, divided by the statewide three year average of the total felony filings in the superior court.
 - 2. The county population, as adopted by the department of economic security, divided by the statewide population, as adopted by the department of economic security.
 - 3. The sum of paragraphs 1 and 2 divided by two equals the composite index.
 - 4. The composite index for each county shall be used as the multiplier against the total funds appropriated from the state general fund and other monies distributed to the fund pursuant to section 41-2421.

- C. The presiding judge of the superior court in each county, in coordination with the chairman of the county board of supervisors or the chairman's designee, the clerk of the superior court and the presiding justice of the peace of the county shall submit a plan to the supreme court that details how the funds allocated to the county pursuant to this section will be used and how the plan will assist the county in improving criminal case processing. The presiding judge of the superior court, the chairman of the board of supervisors or the chairman's designee, the clerk of the superior court and the presiding justice of the peace shall sign the plan and shall indicate their endorsement of the plan as submitted or shall outline their disagreement with any provisions of the plan. The supreme court may approve the plan or require changes to the plan in order to achieve the goal of improved criminal case processing.
- D. By January 8, 2001 and every year thereafter by January 8, the supreme court shall report to the governor, the legislature, the joint legislative budget committee, each county board of supervisors and the Arizona criminal justice commission on the expenditure of the fund monies for the prior fiscal year and on the progress made in achieving the goal of improved criminal case processing. This information may be combined into one report with the information required pursuant to section 12-102.01, subsection D.
- E. All monies spent or distributed from the fund shall be used to supplement, not supplant, funding at the level provided in fiscal year 1997-1998 by the counties for the processing of criminal cases in the superior court, including the office of the clerk of the superior court, and justice courts.
- F. Monies in the state aid to the courts fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations and monies allocated pursuant to section 41-2421, subsections B and J are subject to legislative appropriation. Any state general fund monies appropriated to the fund may be spent without further legislative appropriation.
- G. On notice from the supreme court, the state treasurer shall invest and divest monies in the fund as provided by section 35-313, and monies earned from investment shall be credited to the fund.

12-116.01. Assessments; fund deposits

- A. In addition to any other penalty assessment provided by law, a penalty assessment shall be levied in an amount of forty-seven per cent on every fine, penalty and forfeiture imposed and collected by the courts for criminal offenses and any civil penalty imposed and collected for a civil traffic violation and fine, penalty or forfeiture for a violation of the motor vehicle statutes, for any local ordinance relating to the stopping, standing or operation of a vehicle or for a violation of the game and fish statutes in title 17.
- B. In addition to any other penalty assessment provided by law, an additional penalty assessment shall be levied in an amount of seven per cent on every fine, penalty and forfeiture imposed and collected by the courts for criminal offenses and any civil penalty imposed and collected for a civil traffic violation and fine, penalty or forfeiture for a violation of the motor vehicle statutes, for any local ordinance relating to the stopping, standing or operation of a vehicle or for a violation of the game and fish statutes in title 17.
- C. In addition to any other penalty assessment provided by law, an additional penalty assessment shall be levied in an amount of three per cent on every fine, penalty and forfeiture imposed and collected by the courts for criminal offenses and any civil penalty imposed and collected for a civil traffic violation and fine, penalty or forfeiture for a violation of the motor vehicle statutes, for any local ordinance relating to the stopping, standing or operation of a vehicle or for a violation of the game and fish statutes in title 17.
- D. If any deposit of bail or bond or deposit for an alleged civil traffic violation is to be made for a violation, the court shall require a sufficient amount to include the assessment prescribed in this section for forfeited bail, bond or deposit. If bail, bond or deposit is forfeited, the court shall transmit the amount of the assessment pursuant to subsection G of this section. If bail,

- bond or deposit is returned, the assessment made pursuant to this article shall also be returned.
- E. After addition of the penalty assessment, the courts may round the total amount due to the nearest one-quarter dollar.
 - F. The judge may waive all or part of the civil penalty, fine, forfeiture and penalty assessment, except for mandatory civil penalties and fines, the payment of which would work a hardship on the persons convicted or adjudicated or on their immediate families. If a fine or civil penalty is mandatory, the judge may waive only all or part of the penalty assessments prescribed by subsections A, B and C of this section and section 12-116.02. If a fine or civil penalty is not mandatory and if a portion of the civil penalty, fine, forfeiture and penalty assessment is waived or suspended, the amount assessed must be divided according to the proportion that the civil penalty, fine, bail or bond and the penalty assessment represent of the total amount due.
 - G. After a determination by the court of the amount due, the court shall transmit, on the last day of each month, the assessments collected pursuant to subsections A, B, C and D of this section and a remittance report of the fines, civil penalties and assessments collected pursuant to subsections A, B, C and D of this section to the county treasurer, except that municipal courts shall transmit the assessments and the remittance report of the fines, civil penalties and assessments to the city treasurer.
 - H. The appropriate authorities specified in subsection G of this section shall transmit the forty-seven per cent penalty assessment prescribed in subsection A of this section and the remittance report as required in subsection G of this section to the state treasurer on or before the fifteenth day of each month for deposit in the criminal justice enhancement fund established by section 41-2401.
 - I. The appropriate authorities specified in subsection G of this section shall transmit the seven per cent penalty assessment prescribed in subsection B of this section and the remittance report as required in subsection G of this section to the state treasurer on or before the fifteenth day of each month for allocation pursuant to section 41-2421, subsection J.
 - J. The appropriate authorities specified in subsection G of this section shall transmit the three per cent penalty assessment prescribed in subsection C of this section and the remittance report as required in subsection G of this section to the state treasurer on or before the fifteenth day of each month for deposit in the Arizona deoxyribonucleic acid identification system fund established by section 41-2419.
 - K. Partial payments of the amount due shall be transmitted as prescribed in subsections G, H, I and J of this section and shall be divided according to the proportion that the civil penalty, fine, bail or bond and the penalty assessment represent of the total amount due.

41-2409. State aid; administration

- A. The Arizona criminal justice commission shall administer the state aid to county attorneys fund established by section 11-539. By September 1 of each year, the commission shall distribute monies in the fund to each county according to the following composite index formula:
 - 1. The three year average of the total felony filings in the superior court in the county, divided by the statewide three year average of the total felony filings in the superior court.
 - 2. The county population, as adopted by the department of economic security, divided by the statewide population, as adopted by the department of economic security.
 - 3. The sum of paragraphs 1 and 2 divided by two equals the composite index.
 - 4. The composite index for each county shall be used as the multiplier against the total funds appropriated from the state general fund and other monies distributed to the fund pursuant to section 41-2421.

- B. The board of supervisors in each county shall separately account for the monies transmitted pursuant to subsection A of this section and may expend these monies only for the purposes specified in section 11-539. The county treasurer shall invest these monies and interest earned shall be expended only for the purposes specified in section 11-539.
- C. The Arizona criminal justice commission shall administer the state aid to indigent defense fund established by section 11-588. By September 1 of each fiscal year, the commission shall distribute monies in the fund to each county according to the following composite index formula:
 - 1. The three year average of the total felony filings in the superior court in the county divided by the statewide three year average of the total felony filings in the superior court.
 - 2. The county population, as adopted by the department of economic security, divided by the statewide population, as adopted by the department of economic security.
 - 3. The sum of paragraphs 1 and 2 divided by two equals the composite index.
 - 4. The composite index for each county shall be used as the multiplier against the total funds appropriated from the state general fund and other monies distributed to the fund pursuant to section 41-2421.
- D. The board of supervisors shall separately account for the monies transmitted pursuant to subsection C of this section and may expend these monies only for the purposes specified in section 11-588. The county treasurer shall invest these monies and interest earned shall be expended only for the purposes specified in section 11-588.
- E. By January 8, 2001 and by January 8 each year thereafter, the commission shall report to each county board of supervisors, the governor, the legislature, the joint legislative budget committee, the chief justice of the supreme court and the attorney general on the expenditure of the monies in the state aid to county attorneys fund and the state aid to indigent defense fund for the prior fiscal year and on the progress made in achieving the goal of improved criminal case processing.

41-2421. Enhanced collections; allocation of monies; criminal justice entities

- A. Notwithstanding any other law and except as provided in subsection J of this section, five per cent of any monies collected by the supreme court and the court of appeals for the payment of filing fees, including clerk fees, diversion fees, fines, penalties, surcharges, sanctions and forfeitures shall be deposited, pursuant to sections 35-146 and 35-147, and allocated pursuant to the formula in subsection B of this section. This subsection does not apply to monies collected by the courts pursuant to section 16-954, subsection C, or for child support, restitution or exonerated bonds.
- B. The monies deposited pursuant to subsection A of this section shall be allocated according to the following formula:
 - 1. 21.61 per cent to the state aid to county attorneys fund established by section 11-539.
 - 2. 20.53 per cent to the state aid to indigent defense fund established by section 11-588.
 - 3. 57.37 per cent to the state aid to the courts fund established by section 12-102.02.
 - 4. 0.49 per cent to the department of law for the processing of criminal cases.
- C. Notwithstanding any other law and except as provided in subsection J of this section, five per cent of any monies collected by the superior court, including the clerk of the court and the justice courts in each county for the payment of filing fees, including clerk fees, diversion fees, adult and juvenile probation fees, juvenile monetary assessments, fines, penalties, surcharges, sanctions and forfeitures, shall be transmitted to the county treasurer for allocation pursuant to subsections E, F, G and H of this section. This subsection does not apply to monies collected by the courts pursuant to section 16-954, subsection C or for child support, restitution or exonerated bonds.
- D. The supreme court shall adopt guidelines regarding the collection of revenues pursuant to subsections A and C.

- E. The county treasurer shall allocate the monies deposited pursuant to subsection C of this section according to the following formula:
 - 1. 21.61 per cent for the purposes specified in section 11-539.
 - 2. 20.53 per cent for the purposes specified in section 11-588.
 - 3. 57.37 per cent to the local courts assistance fund established by section 12-102.03.
 - 4. 0.49 per cent to the state treasurer for transmittal to the department of law for the processing of criminal cases.
- F. The board of supervisors in each county shall separately account for all monies received pursuant to subsections C and E of this section and expenditures of these monies may be made only after the requirements of subsections G and H of this section have been met.
- G. By December 1 of each year each county board of supervisors shall certify if the total revenues received by the justice courts and the superior court, including the clerk of the superior court, exceed the amount received in fiscal year 1997-1998. If the board so certifies, then the board shall distribute the lesser of either:
 - 1. The total amount deposited pursuant to subsection C of this section.
 - 2. The amount collected and deposited pursuant to subsection C of this section that exceeds the base year collections of fiscal year 1997-1998. These monies shall be distributed according to the formula specified in subsection E of this section. Any monies remaining after this allocation shall be transmitted as otherwise provided by law.
- H. If a county board of supervisors determines that the total revenues transmitted by the superior court, including the clerk of the superior court and the justice courts in the county, do not equal the base year collections transmitted in fiscal year 1997-1998 the monies specified in subsection C of this section shall be transmitted by the county treasurer as otherwise provided by law.
- I. For the purposes of this section, base year collections shall be those collections specified in subsection C of this section.
- J. Monies collected pursuant to section 12-116.01, subsection B shall be allocated as follows:
 - 1. 15.44 per cent to the state aid to county attorneys fund established by section 11-539.
 - 2. 14.66 per cent to the state aid to indigent defense fund established by section 11-588.
 - 3. 40.97 per cent to the state aid to the courts fund established by section 12-102.02.
 - 4. 0.35 per cent to the department of law for the processing of criminal cases.
 - 5. 14.29 per cent to the Arizona criminal justice commission for distribution to state, county and municipal law enforcement full service forensic crime laboratories pursuant to rules adopted by the Arizona criminal justice commission.
 - 6. 14.29 per cent to the supreme court for allocation to the municipal courts pursuant to subsection K of this section.
- K. The supreme court shall administer and allocate the monies received pursuant to subsection J, paragraph 6 of this section to the municipal courts based on the total amount of penalty assessments transmitted pursuant to section 12-116.01 by that jurisdiction's city treasurer to the state treasurer for the prior fiscal year divided by the total amount of penalty assessments transmitted to the state treasurer pursuant to section 12-116.01 by all city treasurers statewide for the prior fiscal year. The municipal court shall use the monies received to improve, maintain and enhance the ability to collect and manage monies assessed or received by the courts, to improve court automation and to improve case processing or the administration of justice. The municipal court shall submit a plan to the supreme court and the supreme court shall approve the plan before the municipal court begins to spend these allocated monies.

Appendix D: State Aid to County Attorney Expenditures by County

	Personnel	ERE	Prof Outside Services	Travel	Operating Expenses	Equipment	TOTAL EXPENDED
Apache	11,821.14	3,568.40	0.00	0.00	0.00	0.00	15,389.54
Cochise	14,796.24	4,647.53	0.00	0.00	0.00	0.00	19,443.77
Coconino	26,227.00	11,349.00	0.00	0.00	0.00	0.00	37,576.00
Gila	0.00	0.00	0.00	0.00	6,649.00	1,806.00	8,455.00
Graham	1,057.41	158.50	1,806.80	0.00	13.46	5,389.21	8,425.38
Greenlee	0.00	0.00	0.00	0.00	2,563.22	0.00	2,563.22
La Paz	0.00	0.00	0.00	0.00	0.00	9,118.51	9,118.51
Maricopa	341,921.00	125,280.00	0.00	0.00	0.00	0.00	467,201.00
Mohave	7,531.56	680.22	13,604.97	9,945.31	94,502.03	24,338.74	150,602.83
Navajo	0.00	0.00	0.00	0.00	0.00	13,061.33	13,061.33
Pima	154,443.14	47,695.11	0.00	0.00	1,980.74	488.00	204,606.99
Pinal	35,231.68	11,380.35	0.00	0.00	10,019.27	2,070.11	58,701.41
Santa Cruz	13,105.78	1,032.72	0.00	0.00	0.00	0.00	14,138.50
Yavapai	72,444.49	0.00	0.00	0.00	0.00	0.00	72,444.49
Yuma	34,353.00	11,138.00	0.00	0.00	0.00	0.00	45,491.00
State Total	\$712,932.44	\$216,929.83	\$15,411.77	\$9,945.31	\$115,727.72	\$56,271.90	\$1,127,218.97

Appendix E: State Aid to Indigent Defense Expenditures by County

	Personnel	ERE	Prof Outside Services	Travel	Operating Expenses	Equipment	TOTAL EXPENDED
Apache	0.00	0.00	14,703.00	0.00	0.00	0.00	14,703.00
Cochise	15,047.00	0.00	5,200.00	0.00	0.00	7,937.09	28,184.09
Coconino	3,937.56	0.00	31,822.20	0.00	0.00	0.00	35,759.76
Gila	0.00	0.00	0.00	0.00	21,000.00	0.00	21,000.00
Graham	0.00	0.00	10,414.19	0.00	0.00	0.00	10,414.19
Greenlee	0.00	0.00	0.00	0.00	0.00	0.00	0.00
La Paz	0.00	550.14	3,262.50	0.00	2,803.72	3,464.43	10,080.79
Maricopa	673,012.93	0.00	0.00	0.00	0.00	0.00	673,012.93
Mohave	41,909.00	0.00	0.00	0.00	0.00	17,757.00	59,666.00
Navajo	0.00	0.00	11,349.40	0.00	13,119.25	37,694.37	62,163.02
Pima	0.00	0.00	0.00	0.00	2,233.35	13,253.45	15,486.80
Pinal	34,833.66	6,559.44	0.00	0.00	0.00	0.00	41,393.10
Santa Cruz	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Yavapai	68,930.33	0.00	0.00	0.00	0.00	0.00	68,930.33
Yuma	107,478.16	28,570.15	455.00	331.00	0.00	10,365.91	147,200.22
State Total	\$945,148.64	\$35,679.73	\$77,206.29	\$331.00	\$39,156.32	\$90,472.25	\$1,187,994.23